



**COMMUNITY DEVELOPMENT**  
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Building Division  
Engineering Division  
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Code Enforcement

**AGENDA**  
**DOUGLAS COUNTY PLANNING COMMISSION**  
**APRIL 14, 2015**

A meeting of the Douglas County Planning Commission will be held on **April 14, 2015** beginning at **1:00 p.m.** The meeting will be held in the Douglas County Commissioner Meeting Room of the Douglas County Administrative Building, 1616 Eighth Street, Minden, Nevada. The time of agenda items is approximate. ***The Planning Commission may also be meeting for lunch on the same day, at 11:30 a.m. at Francisco's Mexican restaurant, 1588 N. Highway 395, Minden. Members of the public, press, and staff are welcome. This is a social gathering; no Planning Commission business will be discussed.***

The Planning Commission reserves the right to take items in a different order; to combine two or more agenda items for consideration; and to remove items from the agenda or delay discussion relating to an item on the agenda at any time.

It is the intent of the Planning Commission to protect the dignity of citizens who wish to comment before the Commission. It is also the members' wish to provide the citizens of Douglas County with an environment that upholds the highest professional standards. Citizens should have the ability to freely comment on items and/or projects that are brought before the Commission for action without interference.

In order to ensure that every citizen desiring to speak before the Commission has the opportunity to express his/her opinion, it is requested that the audience refrain from making comments, hand clapping or making any remarks or gestures that may interrupt, interfere or prevent the speaker from commenting on any present or future project. The Commission, through its chair, may prohibit a comment if the comment is on a topic that is not relevant to, or within the authority of the public body or if the comment is repetitious or willfully disruptive of the meeting. Written materials filed with the Clerk are part of the record and do not need to be read aloud. Citizens and applicants alike are encouraged to submit written materials well in advance of the scheduled meeting so that the Planning Commissioners will have time to review them before the public hearings begin.

Persons desiring an opportunity to address the Planning Commission who are not able to attend the meeting are requested to complete and submit a "Comment Card" to the Chair at the main podium prior to the convening of the meeting. Cards are located at the main entrance to the meeting room.

**Notice to Persons with Disabilities:** Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the County Clerk's Office in writing at P.O. Box 218, Minden, Nevada 89423 or by calling 782-9020 at least 20 hours in advance.

**Call to Order and Determination of Quorum.**

**Pledge of Allegiance.**

**Public Comment. (No Action Can Be Taken)**

At this time, public comment will be taken on those items and matters within the jurisdiction and control of the Planning Commission including, Presentations, Planning Matters and/or subjects not on agenda. Public comment on specific items agendized "for possible action" will be taken during consideration of that item. Public Comment is limited to 3 minutes per speaker. The Planning Commission uses timing lights in an effort to ensure that everyone gets to speak for the same amount of time. You will see a green light when you begin, and then a yellow light which indicates that you have thirty seconds left. Once the light goes red, please be seated.

**For possible action. Approval of Agenda.**

**For possible action. Disposition of the March 10, 2015 Meeting Minutes.**

MAILING ADDRESS: P.O. Box 218, Minden, Nevada 89423

## Public Hearings.

1. **For possible action. Discussion on Development Application (DA) 14-074 for Maria Kim, Complete Wireless on behalf of Verizon, for a Special Use Permit to mount six antennas with associated equipment on a proposed 105.1 tall monopole. The request includes a 56'x 56' square foot lease area, pre-fabricated equipment shelter, standby diesel generator, coaxial cable ice bridge, underground power and telecommunications utilities, and a chain link fence with barbed wire around the perimeter. The subject property is located on Heybourne Road, 2,280 feet south of Johnson Lane in the LI (Light industrial) zoning district and within the Airport Community Plan (APN: 1320-05-001-007).**

Case Planner: Hope Sullivan, AICP (775) 782-6200 [hsullivan@co.douglas.nv.us](mailto:hsullivan@co.douglas.nv.us)  
Case Engineer: Barbra Resnik (775) 782-6234 [bresnik@co.douglas.nv.us](mailto:bresnik@co.douglas.nv.us)

2. **For possible action. Discussion on Development Application (DA) 15-013, for Derek Fromm, Greenstone Renewables, LLC, for a Special Use Permit to construct and operate a commercial solar photovoltaic farm with associated power generating equipment on seven parcels totaling 260 acres. The subject property is located at 760 Muller Lane in the A-19 (Agriculture, nineteen-acre minimum net parcel size) zoning district and within the South Agriculture Community Plan (APNs: 1319-24-000-008, -009, -011, 1319-13-000-008, -009, -010, -011).**

Case Planner: Emery Papp (775) 782-9012 [epapp@co.douglas.nv.us](mailto:epapp@co.douglas.nv.us)  
Case Engineer: Natalia Moore (775) 783-6421 [nmoore@co.douglas.nv.us](mailto:nmoore@co.douglas.nv.us)

3. **For possible action. Discussion on Appeal (AP) 15-003, an appeal by Franklin "Harry" Ernst of staff's approval for DA 14-047, a major design review for Esplanade at the Ranch located at the south west corner of Gilman Avenue and Heybourne Road (APN 1320-33-210-069) in the MFR/PD zoning district and within the Minden-Gardnerville Community Plan. The appeal is regarding compliance with the minimum standards for development of the site pursuant to Chapter 20 of the Douglas County Code, consistency with the Douglas County Design Guidelines for Multi-Family Development, and the safety of the circulation system.**

Case Planner: Emery Papp (775) 782-9012 [epapp@co.douglas.nv.us](mailto:epapp@co.douglas.nv.us)  
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## Adjournment.

\*Copies of Community Development Staff Reports can be requested by calling the Planning Secretary, (775) 782-6210 or in person (Monday – Thursday, 8:00 a.m. – 3:00 p.m. and Friday 8:00 a.m. – 12:00 p.m.) 1594 Esmeralda Ave., Room 217, Minden, Nevada. Community Development Staff Reports can also be found at <http://www.douglascountynv.gov>. During the public hearing, Community Development Staff Reports can be viewed in the Public Information Binder located at the entrance to the meeting room.

\*Community Development Staff Reports are available, at a minimum, 3 days prior to the meeting.

Copies of this notice are posted at the Douglas County Administrative Building (Historic Courthouse), Douglas County Community Development (Minden Inn), Douglas County Judicial and Law Enforcement Center, Douglas County Libraries – Minden and Lake Tahoe, and the Minden Post Office. This notice will be posted on the Douglas County website – <http://www.douglascountynv.gov>. However, this Commission does not maintain the listed website and therefore timely posting of agendas on the website cannot be guaranteed.

**TIMING FOR AGENDA ITEMS IS APPROXIMATE UNLESS OTHERWISE INDICATED**

**APPROVED APRIL 14, 2015**

The regular meeting of the Douglas County Planning Commission was held on Tuesday, March 10, 2015 in the Douglas County Commissioner Meeting Room of the Douglas County Administrative Building, 1616 8<sup>th</sup> Street, Minden, NV.

**PLANNING COMMISSIONERS PRESENT:** Frank Godecke; Kevin Servatius; James Madsen; Margaret Pross; Anje de Knijf; James Beattie and Jo Etta Brown.

**STAFF PRESENT:** Cynthea Gregory, Deputy District Attorney; Hope Sullivan, Planning Manager; Emery Papp, Senior Planner and Laure Penny, Clerk to the Board.

**Call to Order and Determination of Quorum.**

Chairman Godecke called the meeting to order at 1:01 p.m. and determined a quorum was present.

**Pledge of Allegiance.**

Member Brown led the Pledge of Allegiance.

**Public Comment. (No Action Can Be Taken)**

Steve Walker wanted to discuss the proposed Photovoltaic Farm that was pulled from the agenda. His house is the only one close to the proposed farm. He opposes the Special Use Permit application based on it is incompatible use under Douglas County Code 20.604.060. The application seeks to establish an industrial use on agricultural land next to a residence. Douglas County has had a long history of stewardship that has protected Carson Valley landscape from inappropriate development. After meeting Keith Rutledge and Derek Fromm, the applicants, Mr. Walker learned this project would only benefit California. Mr. Walker believes the ordinance allowing industrial use on a wide variety of zoning types needs to be revisited and fine tuned.

Russell Byington, President of Galeppi Land and Livestock, stated they will also be affected by the solar farm. He is in support of it. He doesn't believe we should tell people what they can and can't do with their property.

Public comment closed.

**For possible action. Approval of Agenda.**

Chairman Godecke stated two items were being pulled from the agenda. Item 1 was pulled and continued until the April 14, 2015 meeting and Item 4 was pulled to a date uncertain.

No public comment.

MOTION by de Knijf/Brown to approve the agenda with the stated change; carried unanimously.

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**Disposition of the February 10, 2015 Meeting Minutes. For possible action.**

No public comment.

MOTION by Pross/Servatius to approve the minutes; carried unanimously.

**Public Hearings.**

**1. For possible action. Discussion on Development Application (DA) 14-074 for Maria Kim, Complete Wireless on behalf of Verizon, for a Special Use Permit to mount six antennas with associated equipment on a proposed 105.1 tall monopole. The request includes a 56'x 56' square foot lease area, pre-fabricated equipment shelter, standby diesel generator, coaxial cable ice bridge, underground power and telecommunications utilities, and a chain link fence with barbed wire around the perimeter. The subject property is located on Heybourne Road, 2,280 feet south of Johnson Lane in the LI (Light industrial) zoning district and within the Airport Community Plan (APN: 1320-05-001-007).**

**Case Planner: Hope Sullivan, AICP (775) 782-6200 [hsullivan@co.douglas.nv.us](mailto:hsullivan@co.douglas.nv.us)**

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This Item was pulled and continued until the April 14, 2015 meeting.

**2. For possible action. Discussion on Land Division Application (LDA) 15-004, for Rudy Staedler & Scott Holdings, LLC, for a Tentative Commercial Subdivision Map to subdivide 3.1 acres into 5 parcels, the smallest being 4,399 square feet in area. The subject property is located at 931 Mica Drive within the NC (Neighborhood Commercial) zoning district and the Indian Hills/Jacks Valley Community Plan (APN: 1420-07-601-002).**

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Hope Sullivan, Planning Manager, stated what the applicant is seeking is a commercial subdivision. The benefit of a commercial subdivision is the flexibility based on the tenants' needs. This site is already developed there are 4 buildings and the common area. The applicant is proposing to make each of those buildings their own lot. That will give the tenants a chance to purchase the building. Staff is recommending approval subject to the conditions of approval identified based on Staff's ability to make the findings. Ms. Sullivan has spoken with Jeff Sharp, Project Engineer, and the applicant and they are fine with all the conditions that Staff has recommended.

Member de Knijf asked if the common area would be governed by NRS 116.

Cynthea Gregory, Deputy District Attorney, responded certain provisions of NRS 116 will apply for the parking and driveway elements. The tenants will have to share that area for the benefit of the buildings since the parking is not included in each of the lots. There will be CC&Rs.



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Member de Knijf stated NRS 116 refers to common interest communities and she is aware that there are requirements such as noticing meetings and things of that nature. She didn't know if those applied to a commercial common interest also.

Ms. Sullivan stated she cannot speak specifically to how they will structure it but from the Staff's perspective they were concerned that an entity be established to oversee the maintenance of the common area. Staff has included a condition the entity that oversees the common area be established prior to recordation of the map. How NRS regulates that entity she cannot say.

Chairman Godecke asked if the common area entity would be the taxpayer on that parcel. Ms. Sullivan responded that is correct. In meetings with the applicant and the applicant's team there was a gentleman who was very familiar with this type of structure. He was the one who explained the tenants all have an interest in it like an HOA. Every person who has a building on that property has a stake in insuring that it remains maintained.

Member de Knijf commented since the lots are not equal in size is the responsibility for the common area going to be divided proportionately or equally. Ms. Sullivan stated she does not know since it hasn't been created yet.

Member Madsen stated it's done in general. It's a common area and every owner contributes an equal amount based on the square footage of their building.

Chairman Godecke stated one of the areas that comes to mind for him is the Minden commercial area where Gorman's use to be. He didn't know if the buildings are individually owned or owned by one entity so he imaged they would have to address their common area in the same way that is being discussed.

Vice Chairman Servatius asked Ms. Sullivan to refresh his memory on how they determine the amount of years for a final subdivision. Ms. Gregory responded the property is already developed and the 4 years is required by NRS for subdivision maps. In regards to the common interest community it can be a commercial entity under NRS 116. She also commented it was important to note the CC&Rs are a private contractual agreement between the property owners and the Douglas County code specifically states the County does not enforce those CC&Rs if it's not a party to it.

Jeff Sharp, Resource Concepts, stated his client Rudy Staedler was unable to make the meeting. Mr. Sharp and Mr. Staedler have discussed the conditions recommended and they are in agreement with them. Mr. Sharp stated it is an existing developed area and everything is ready to be split. It is not an old development so it has modern backflow preventers. It will be heard by the Indian Hills GID on March 18.

Member de Knijf asked if they were going to have a reserve fund to maintain the common elements in the development. Mr. Sharp responded Mr. Staedler's attorney, Scott Heaton will be preparing all the CC&Rs for the project.

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No public comment.

MOTION by Brown/Madsen to recommend approval of Land Division Application 15-004 based upon the ability to make the required findings as outlined in the staff report and subject to the conditions identified in the staff report; carried unanimously.

**3. For possible action. Discussion on Planned Development Modification Application (PD) 04-009-3, for Lagunak, Inc., to modify the Cedar Creek Planned Development (ref. PD 04-009) per the following requests: (1) to amend the Cedar Creek Final Subdivision Map to delete or modify note #3 (declaring that there are no existing wells, septic, or structures on a parcel), #4 (declaring all access is from a shared access easement), and #8 (declaring internal roads are private); (2) to modify the following November 4, 2005 conditions of approval: #3 (requiring certain CC&R restrictions), #8.b. (identifying maintenance responsibilities for Edna ditch), #12 (requiring the transfer of development rights), #17.g. (requiring a note on the final map that all roads must be private), and #25 (identifying maintenance responsibilities for drainage facilities, perimeter wall, and landscaping); and (3) to convert the clubhouse into a single family residential dwelling. The subject properties are located along the north side of Dresslerville Road and north of Arrowhead Drive within the Cedar Creek Subdivision in the SFR 8,000/PD (Single Family Residential, 8,000 square foot minimum net parcel size) zoning district with a Planned Development Overlay within the Gardnerville Ranchos Community Plan (Multiple APNs).**

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Hope Sullivan, Planning Manager, stated this is an existing subdivision where at the time of creation it was anticipated the Homeowners Association (HOA) would be responsible for maintenance of a number of the facilities. The applicant is now seeking to dissolve the HOA and they are trying to identify another entity to take care of the responsibilities for maintenance of the facilities. Applicant is also requesting to convert the existing Club House into a single family home and have the development rights that were utilized in creating that Club House returned. Ms. Sullivan listed all the responsibilities of the HOA. She included a vicinity map and a site plan. Project did go to the Gardnerville Ranchos GID (GRID) and GRID is supportive of turning the Club House into a single family residence. GRID is currently working with Applicant's attorney to amend the annexation agreement so GRID will be in the position to take over maintenance of the roads and the drainage improvements. In general the staff is supportive with one significant exception. Staff does oppose the modification to Condition 12 which would entail the return of development rights. In terms of other conditions of approval in the staff report, staff is fine with the other items requested provided the applicant can demonstrate that there is an entity, like GRID, who will take on the maintenance in perpetuity and the County would not sign the final map until that was demonstrated. Applicant is fine with all of staff's conditions and in agreement with staff's report.

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Member de Knijf wanted to know if the blue line on site plan is the Edna ditch and how will they access the ditch if it is located on private property. Ms. Sullivan responded she will let Mr. Ruben answer that question. She understood the ditch to be piped and located on one of the common area parcels that is located outside the wall.

Chairman Godecke asked if GRID had said no to taking over the common area in front of the block wall. Ms. Sullivan responded that is correct. The applicant has submitted an application to create a Landscape Maintenance Assessment District. The request will go before the Board of Commissioners. The Douglas County Parks Department has advised this would be something they would not be able to maintain. The applicant asked GRID if they would be willing to take on maintenance of a Landscape Maintenance Assessment District should the district be created. GRID voted no on taking on the maintenance.

Vice Chairman Servatius directed Ms. Sullivan to pages 3/7 & 3/9. He has a language question. On page 3/9 it reads: *If a public entity does not accept maintenance the subdivision will be required to continue to have a Homeowners Association maintain the required subdivision infrastructure.* On page 3/7 under Modifications to the Plan Development 2005 Conditions of Approval, second paragraph, it says: *the applicant shall provide a copy of the recorded CC&Rs which restrict RV parking with the subdivision.* And now the applicant is requesting that we delete: *and which establishes a Homeowners Association.* If the applicant is unable to offer dedication of public roads and maintenance of these other facilities shouldn't we really word that as: *the applicant shall provide a copy of the recorded CC&Rs which restrict RV parking within the subdivision and which establishes a Homeowners Association in the event public facilities cannot be dedicated.* Member Servatius believes the wording is inconsistent on pages 3/7 & 3/9 and it is not properly explained that if they can't get the maintenance facilities dedicated that they do have to have an HOA. Ms. Sullivan responded she will scan the conditions to make sure the conditions reflect the fact there is an HOA formed and the failure to identify another entity to take over the maintenance in perpetuity means the default is the HOA continues to have that responsibility.

Member de Knijf wanted to know who is currently maintaining the common elements of the property. Ms. Sullivan responded her understanding is Jesus Rey, who is the majority owner of the property, is overseeing that.

Keith Ruben, RO Anderson Engineering, responded to Member de Knijf's questions about the Edna ditch. He stated it is a piped easement and currently the HOA does have the responsibility to maintain it. He doesn't see that changing so the HOA will likely have to continue maintaining the ditch.

Member de Knijf asked if GRID doesn't want to take over does the HOA have any reserve funds. Mr. Ruben responded the association has been formed and he does believe there is some money in the account.

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Member Madsen wanted to make sure the owner of the property at the head of the ditch understands it is his responsibility to clear the ditch and that he will do that.

Member de Knijf wanted to know if an HOA does need to stay in place how will the assessment be divided between the vacant lots and improved lots. Mr. Ruben responded he doesn't know that right now because they don't know the extent of which improvements will be shifted to another entity or not.

Member Brown asked if the current homeowners had paid any fees to the association. Mr. Ruben responded no they haven't and he believes the original developer was carrying all the costs because he hadn't gotten far enough to assess HOA fees.

Jesus Rey, Vice President of Lagunak Incorporated, responded there have been no fees paid by the current homeowners. The original developer was planning on building 50% of the homes before assessing fees. As for how they will assess the fees in the future, all property owners will pay the same amount whether it's improved property or unimproved property.

Member Brown asked if the homeowners had had a meeting. Mr. Rey responded they did have a meeting regarding putting HOA into affect. If Douglas County does not form a maintenance district they will look into forming a regular HOA for the maintenance and the ditch.

Member de Knijf wanted to clarify the green shaded areas on the power point presentation would be maintained by a maintenance entity. Mr. Rey responded that was correct. It would also supply the water to the space between the sidewalk and the lots. Ms. Sullivan wanted to clarify one thing. It was her understanding the green shaded area is what was being proposed for the Landscape Maintenance Assessment District. Mr. Rey answered yes. Ms. Sullivan went on to say she believes Mr. Rey's first choice would be to have the Board of Commissioners establish a Landscape Maintenance Assessment District and identify an entity to maintain that Landscape Maintenance Assessment District. There is a lot of uncertainty whether that will happen and staff is not supporting it so the backup option would be to have the HOA maintain that area.

Member de Knijf asked if it was true there has been no HOA meeting since the project started. Mr. Rey responded there were a couple of meetings but nothing has been worked out. Member de Knijf asked Mr. Rey how much he has been paying annually to maintain the 3 strips. Mr. Rey answered about \$3500 to \$4000 a year.

Member Beattie wanted to know if there was a formal vote of the homeowners in the HOA approving these matters or was it just the HOA Board members? Ms. Sullivan asked Member Beattie if the question was whether the HOA was supportive of the request that's before the Planning Commission. Member Beattie responded this is a major change that affects all the owners and there was a meeting mentioned and he wasn't clear if it was all the homeowners had attended or just the HOA Board Members.

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Mr. Rey responded the homeowners did not want to pay HOA fees but if they took the roads and Club House out then the HOA fees would be less and the homeowners were fine with that.

Vice Chairman Servatius hoped the dedication of the roads happens and asked how many miles of roads they have. Mr. Ray responded it's less than a mile. Member Servatius explained his understanding of what they are looking for during the Reserve Study for the dedication of the roads. The reserves have to be established for a 20 year useful life on roads. He brought up NRS 116 and how it relates to HOAs and road studies.

Member de Knijf commented \$100 per year per homeowner should be enough to cover the landscape maintenance and other expenses. Mr. Ray responded he felt it would need to be a little higher due to insurance costs and establishing a reserve fund. Member de Knijf stated initially you will have an assessment to fund the reserves after you do a reserves study.

Ms. Sullivan suggested making this the first condition: *to the extent a modification is intended to reassign maintenance responsibility from the HOA to another entity the modifications are permitted only upon the applicant demonstrating that another entity is willing to accept the maintenance in perpetuity.* This is an umbrella condition.

Member Pross asked why the applicant came forward now instead of after determining whether they could get maintenance and the roads dedicated. It would be much cleaner that way. Ms. Sullivan responded while she agreed with Member Pross the application was submitted in this forum and it's what they have in front of them so all staff can do is try to say theoretically we are OK with this provided the applicant can demonstrate he can get somebody to accept the maintenance responsibility in perpetuity. Member Pross wanted to know who was going to follow up on this and make sure everything is completed. Ms. Sullivan responded these include map amendments so the County will not sign off the map for recordation until they've demonstrated that there is an entity willing to accept the maintenance or ownership in perpetuity and the condition is qualified so if they haven't identified somebody to take over their roads the HOA is still responsible for maintaining the roads.

Member Pross commented there are some conflicts as to the Edna ditch. One place it says one thing and then in another place it says something different. Ms. Sullivan responded that is why she is suggesting the umbrella condition as a first condition to identify the framework that all the other conditions will flow from. Member Pross asked if there was an urgency to get this done. If not, then why can't we do it the other way and have the applicant come back with everything determined. Mr. Ruben responded the Board of Commissioners is charged with reviewing the request for a Landscape Maintenance Assessment District and they need to see the whole picture when making their decision. He also mentioned they have met with GRID several times and feel they have clarity on what GRID will accept and not accept. Member Pross commented it was her understanding GRID had not done a formal action yet. Mr. Ruben responded they have taken formal actions. There is an amended annexation agreement we need to complete and GRID will make a formal action on that. GRID has indicated what the



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terms of that annexation will be and it will not be a Landscape Maintenance Assessment District. It will be strictly limited to roads and drainage.

PUBLIC COMMENT

Ed Kleiner, President of the Edna Ditch Company, commented in about 2 weeks they are going to flood the ditch and clean it. The company has a love/hate relationship with underground ditches. They like them because they eliminate surface maintenance but create a hazard with the trash that is collected in them. They had 3 major concerns when this pipe was being put in: 1) a 90 degree corner where debris could easily get trapped; 2) the necessity for a trash rack to keep debris from getting in; and 3) it have a smooth walled PVC pipe. Instead of a smooth walled pipe they used a corrugated pipe. This caused all the debris to catch inside the pipe. For the last 10 years the trash rack has been kept opened which allows debris to go into the pipe. Mr. Kleiner is worried about the liability with the underground pipe. They are really busy right now trying to prevent any blockage that may cause flooding around the homes. Chairman Godecke asked Mr. Kleiner if he had spoken to Mr. Rey about paying the cost for the maintenance on the pipe. Mr. Kleiner responded that would be a perfect solution as we would know who to contact in case of an emergency.

Public comment closed.

Member Madsen stated Mr. Kleiner's comments are applicable and believed the homeowners should have a reserve in the HOA fund to deal with any back ups in the ditch. He commented he wants to make sure somebody is going to take responsibility for clearing the trash rack and ditch.

Member Pross stated she has neighbors who have put in pipes and they jam up when there are only a couple drops of rain. She can only imagine what the debris is like in the Edna ditch.

Keith Ruben commented the conditions of approval that currently exist for this project already require the HOA to maintain the Edna ditch.

Hope Sullivan believed what Mr. Ruben was pointing out is there are conditions of approval that mandate that the property owner is responsible for maintenance of the ditch and what we heard in public comment is a request by the ditch company to have the contact information of the property owner so there can be cooperation in maintenance of the ditch. But right now the condition calls for the applicant or subsequent lot owner be responsible for maintenance. So there is an entity that is responsible because somebody owns that land.

Member Madsen doesn't believe the property owner has any concept of what we are talking about when it comes to ditch maintenance.

Cynthia Gregory stated this project does have a recorded map prior to that it went in front of water conveyance because of irrigation portion is piped. You have had at least five experienced people within the community look at this. There is an easement, that

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easement is for the benefit of the downstream irrigation user and the requirement in County code is the property owner is responsible for maintenance, if they do not maintain it and a downstream user comes upstream and cleans it then the downstream user can go after the property owner for liability. Ms. Gregory commented if the Planning Commission did not think the Findings could be made then they would need to point those Findings out.

Chairman Godecke stated at this time there is no clear indication who owns the property. If the landscape isn't taken over by another entity then there will be an HOA. Chairman Godecke asked if the HOA stays in place will they be considered the property owner. His understanding is if the pipeline runs under a particular lot that a house is built on then that property owner is responsible for the maintenance and not the HOA. Ms. Gregory responded that is correct. It's the owner of the lot that is responsible.

Mr. Ruben commented the conditions of approval for Mr. Posnien stated: the applicant will be responsible for maintenance of the portion of the Edna ditch which crosses the project area. Chairman Godecke asked if it then defaults to Mr. Rey. Ms. Gregory responded the way the County code is written it's each lot owner. The applicant was the owner at the time but everybody who purchased a lot becomes a successor in interest.

Member Pross commented she is reading on page 3/27 the applicant will be responsible for the maintenance of the portion of the Edna ditch which crosses the project area. Ms. Sullivan responded the applicant is requesting a modification to Condition 8 so it reads: the applicant or subsequent lot owner. Ms. Gregory clarified the original conditions of approval said "applicant". The current owner is seeking clarification that it reads each lot owner and that is consistent with the County code. The new condition of approval is on page 3/2 and it is Condition 1a.

Ms. Sullivan stated the applicant doesn't necessarily retain a legal responsibility to a project. She suggested that when we have conditions of approval that assign a responsibility we assign that responsibility to a property owner.

Member de Knijf asked if when talking about subsequent land owners we are talking about the green shaded area on the Power Point presentation which is actually going to be in the Landscape Maintenance District. It's not going to be an individual lot owner it's either going to be the HOA or the Landscape Maintenance District. Ms. Sullivan responded a Landscape Maintenance District doesn't necessarily transfer ownership it is more a financing mechanism to maintain a piece of land so every piece of land does have an owner.

Mr. Ruben wanted to address the ownership of where the ditch lies. He stated the pipe is located on common area property not on any individual lots.

Bob Spellberg, District Manager for the Gardnerville Ranchos GID, provided a brief history. This item came before the Board of Trustees for GRID for a Landscape Maintenance District, the Board decided it didn't want to be in the ditch business. GRID will be taking over the roads and storm drain basins. The Edna ditch is outside the perimeter wall it does not enter into the subdivision.

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MEETING OF MARCH 10, 2015

MOTION by Pross/Servatius to approve Planned Development Modification Application (PD) 04-009-3 except for modification of Condition 12 for Lagunak, Inc. based on the ability to make the required findings as identified in the staff report and subject to the recommended conditions. Modification of Condition 12 requesting a transfer of 67 development rights based on the conversion of the Club House to single family residential rather than the original 69 development rights is not appropriate and the findings cannot be made as the Club House was constructed and the use established in 2007. The additional condition would be to the extent a modification is intended to reassign maintenance responsibility from the HOA to another entity, the modifications permitted only upon the applicant demonstrating that another entity is willing to accept maintenance in perpetuity; carried unanimously.

**4. For possible action. Discussion on Development Application (DA) 15-013, for Derek Fromm, Greenstone Renewables, LLC, for a Special Use Permit to construct and operate a commercial solar photovoltaic farm with associated power generating equipment on six parcels totaling 210 acres. The subject property is located at 760 Muller Lane in the A-19 (Agriculture, nineteen-acre minimum net parcel size) zoning district and within the South Agriculture Community Plan (APNs: 1319-24-000-008, -009, -011, 1319-13-000-009, -010, -011).**

**Case Planner: Emery Papp (775) 782-9012 [epapp@co.douglas.nv.us](mailto:epapp@co.douglas.nv.us)**

**Case Engineer: Natalia Moore (775) 783-6421 [nmoore@co.douglas.nv.us](mailto:nmoore@co.douglas.nv.us)**

This Item was pulled from the agenda to a date uncertain.

There being no further business to come before the Planning Commission, the meeting adjourned at 2:40 p.m.

Respectfully Submitted:

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Approved:

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Frank Godecke, Chairman

## Douglas County Planning Commission

### AGENDA ACTION SHEET

1. **Title:** For possible action. Discussion on Special Use Permit (DA) 14-074 for a Telecommunication Facility for Maria Kim of Complete Wireless Consulting on behalf of Verizon Wireless, located on the east side of Heybourne Road south of Johnson Lane and north of the Minden Airport, Minden, NV (APN: 1320-05-001-007) in the LI (Light Industrial) Zoning District and in the Airport Area Plan. The Planning Commission may approve, approve with modifications or deny the requests.
2. **Recommended Motion:** Deny Development Application (DA) 14-074, a Special Use Permit for a Telecommunication Facility based on the inability to make the required findings as outlined in the staff report.
3. **Prepared by:** Hope Sullivan, AICP
4. **Meeting Date:** April 14, 2015                      **Time Required:** 20 minutes
5. **Agenda:** Public Hearing
6. **Background Information:** The applicant is seeking a special use permit to establish a 105 foot Telecommunication Facility with ancillary equipment along Heybourne Road. The proposed location is in conflict with the flight patterns at the Minden Airport.
7. **Committee/Other Agency Review:** N/A.
8. **Reviewed by:**  
 Planning Manager                       Community Development Director
9. **Commission Action:**  

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modifications
<input type="checkbox"/> Denied	<input type="checkbox"/> Deferred
<input type="checkbox"/> Other	

Agenda Item # 1



## COMMUNITY DEVELOPMENT

1594 Esmeralda Avenue, Minden, Nevada 89423

Mimi Moss

COMMUNITY DEVELOPMENT DIRECTOR

775-782-6201

FAX: 775-782-6297

website: [www.douglascountynv.gov](http://www.douglascountynv.gov)

Planning Division  
Engineering Division  
Building Division  
Code Enforcement

### MEMORANDUM

Date: April 14, 2015  
To: Douglas County Planning Commission  
From: Hope Sullivan, Planning Manager, Direct Line 775-782-6200  
Subject: Special Use Permit (DA) 14-074 for a Telecommunication Facility for Maria Kim of Complete Wireless Consulting on behalf of Verizon Wireless. Located on property located on Heybourne Road south of Johnson Lane and north of the Minden Airport, Minden, NV (APN: 1320-05-001-007) in the Light Industrial Zoning District and in the Airport Area Plan.

#### I. REQUEST

Maria Kim on behalf of Verizon Wireless is requesting approval of Development Application (DA) 14-074, a Special Use Permit to allow Telecommunication Facility. The facility is proposed to include a new 105 foot steel monopole and associated 11.5 foot by 17 foot equipment shelter, and other supporting infrastructure. The subject property is located on Heybourne Road, south of Johnson Lane and north of the Minden Airport, within the Light Industrial (LI) zoning district, and within the Airport Community Plan. The Assessor Parcel Number (APN) is 1320-05-001-007. Upon making the required findings the Planning Commission may approve the request. If necessary to make findings, the Commission may approve with modifications. If the Commission cannot make the required findings, it may deny the request.

#### II. RECOMMENDATION

Deny Development Application (DA) 14-074, a Special Use Permit to allow Telecommunication Facility consisting of a new 105 foot monopole and associated equipment, based on the inability to make the required findings as outlined in the staff report.



### III. BACKGROUND / PROJECT DESCRIPTION

Project Information	
Property Owner	Arthur E. Hall Hallco Inc. 1726 Cedarwood Drive Minden, NV 98423
Applicant	Maria Kim, Verizon Wireless c/o Complete Wireless Consulting 2009 V Street Sacramento, CA 95818
APN	1320-05-001-007
Zoning Designation	Light Industrial (LI)
Existing Use	Vacant
Parcel Size	40acres

The applicant is requesting a special use permit for a Telecommunication Facility consisting of a 105 foot tall monopole and associated equipment. The applicant proposes to mount six Verizon antennas on the monopole with a steady red obstruction prevention light mounted at the top. Equipment proposed at the base of the structure includes a pre-fabricated equipment shelter, overhead power and telecommunications utilities, a standby generator, and a coaxial cable ice bridge.

The objective of the facility is to improve coverage and capacity in the area northeast of the site.

Of note, in June 2014, Minden Airport management advised David Downs of Complete Wireless that a tower at the proposed location would conflict with airport operations. Since June, there have been numerous communications between consultants associated with the proposed tower and County staff reiterating that the tower would not be allowed in the proposed location due to conflicts with airport operations. Despite these communications, on November 20, 2014, Complete Wireless submitted the subject application for a Special Use Permit.

On February 27, 2015, the applicant submitted a letter from the Federal Aviation Administration (FAA) Obstruction Evaluation Group stating that the proposed structure does not exceed obstruction standards. The management of the Minden Tahoe Airport has reviewed the FAA letter, and does not agree. The management of the Minden Tahoe Airport believes that proposed structure will constitute a conflict with the airport operations.

### IV. REVIEW REQUIRED

#### Special Use Permit

Per the provisions of Section 20.658.020, 20.668.190, and 20.664.180 of the Douglas County Code, a Telecommunication Facility may locate in the LI zoning district subject to the issuance of a Special Use Permit and Design Review Approval, as well as subject to supplemental standards. Per the

provisions of Section 20.604.050 of the Douglas County Code, the Planning Commission is authorized to grant a Special Use Permit, after conducting a public hearing, upon making the required findings contained in Section 20.604.060 of the Douglas County Code. The Planning Commission may identify conditions of approval that are necessary to make the findings.

Per the provisions of Section 20.614.030 of the Douglas County Code, the Community Development Director is the final decision maker for design review application. The applicant has not yet submitted an application for design review.

Of note, the proposed facility will require a variance as per the provisions of Section 20.664.180 of the Douglas County Code, the maximum allowed height in the LI zoning district is 80 feet. Staff has not requested an application for a variance as, in staff's opinion, the findings for the Special Use Permit can not be met.

## **V. FINDINGS**

### **Findings for a Special Use Permit**

The following findings are required by Douglas County Code Section 20.604.060 for the issuance of a Special Use Permit. As outlined below, staff can not make the required findings.

- A. The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations.

**Staff Response:** The subject property is located in the Airport Community Plan. Staff finds that the following Goals and Policies to be applicable to the review of the proposed Special Use Permit.

AP Goal 1: To promote the growth of the Airport community as an employment center and transportation hub for County wide economic development that is compatible with the built and natural environments in the vicinity and consistent with the Airport Master Plan.

AP Policy 1.1: Douglas County shall use its zoning, project review process, and design guidelines to promote development that will enhance property values and the aesthetics of the Airport community while still maintaining a buffer around the Airport perimeter for safety and noise abatement.

AP Goal 2: To promote planned development in the Airport community that reduces risks related to airport activities.

AP Policy 2.2: The County shall preclude land uses in the flight path that pose unacceptable hazards to airport operations or development near the Airport. These can include, but should not be limited to, uses that attract flocks of birds, uses that attract wildlife, uses storing significant quantities of toxic or explosive substances, and uses that result in reduced visibility and/or electronic disturbances.

Traffic from Runway 34, the airport's primary runway, departs and turns left before Johnson Lane. The turn before Johnson Lane is necessary per the Airport's Noise Abatement Procedures so as to avoid flying over the residential area. The placement of the tower puts an obstacle directly in the traffic pattern of departing traffic from Runway 34.

Federal Aviation Regulations (FAR Part 77) provides regulations regarding approaches to and from a runway. The Airport Master Plan includes a planned approach surface consistent with FAR Part 77. The proposed tower would breach the approved approach surface.

In short, the proposed Tower is not compatible with the Airport in that it is in conflict with flight patterns. This conflict creates a serious safety risk. In direct conflict with AP Policy 2.2 of the Master Plan, the tower will be a land use in the flight path that poses an unacceptable hazard to airport operations.

The proposed use is NOT consistent with the goals and policies of the Master Plan, and the staff can NOT make finding A.

- B. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include, but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both, to mitigate such impacts.

**Staff Response:** The proposed use will yield an adverse effect on the nearby airport in that it interferes with the flight path. The existing flight paths are determined, in part, to minimize noise impacts on the residences in the Johnson Lane area. If the tower were erected, and flight paths needed to be modified, the modified flight path could result in a pathway above the residences in the Johnson Lane area, thus creating a noise impact.

Staff can NOT make this finding in the affirmative.

- C. The proposed use will not generate pedestrian or vehicular traffic that will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

**Staff Response:** The proposed telecommunication facility will not generate substantial pedestrian or vehicular traffic.

- D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.

**Staff Response:** Since the telecommunication facility will not generate substantial pedestrian or vehicular traffic, no roadway improvements, traffic control devices, or access restrictions are recommended.

- E. The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties.

**Staff Response:** The proposed use will yield an adverse effect on the nearby airport in that it interferes with the flight path. The existing flight paths are determined, in part, to minimize noise impacts on the residences in the Johnson Lane area. If the tower were erected, and flight paths needed to be modified, the modified flight path could result in a pathway above the residences in the Johnson Lane area, thus creating a noise impact.

Staff can NOT make this finding in the affirmative.

- F. The project is not located within an identified archeological/cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report.

**Staff Response:** The site is not located within an identified archeological and/or cultural study area recognized by Douglas County.

- G. The proposed special use complies with all additional standards imposed on it by the particular provisions of Chapter 20.604 (Special Use Permits) and all other requirements of Title 20 applicable to the proposed special use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of Title 20.

**Staff Response:** Section 20.664.180 of the Douglas County Code identifies supplemental standards for telecommunication facilities. The proposed application does not comply with these supplemental standards. For example, the supplemental standards allow for a maximum height of 80 feet in the LI zoning district. The applicant is seeking a 105 foot tall monopole. Note even if the monopole were fifty feet tall, the airport management would consider it a safety hazard.

Staff does NOT make finding G in the affirmative.

- H. The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare; or result in material damage or prejudice to other property in the vicinity.

**Staff Response:** The proposed use will be materially detrimental to public safety. The proposed tower location interferes with the established and FAA approved flight paths. These flight paths are derived from runway locations and FAA regulations that address noise and safety. These flight paths can not be altered.

The staff can NOT make this finding in the affirmative.

## **VI. CONCLUSION**

Based on the inability to make the required findings as outlined in the staff report, staff recommends denial of the requested Special Use Permit DA 14-074.

### ***PC Attachments:***

1. Applicant's Project Support Statement
2. Aerial Photo and Photosimulation
3. Site Plan
4. Email dated October 22, 2014 between Airport Management and the Planning Manager
5. Air Traffic Pattern Diagram
6. FAA Letter Dated February 4, 2015



RECEIVED

JUN 20 2014

DOUGLAS COUNTY  
COMMUNITY DEVELOPMENTPROJECT SUPPORT STATEMENT  
VERIZON WIRELESS

**Site Name:** Minden  
**Location:** Heybourne Road, Minden, NV 89423  
**APN:** 1320-05-001-007

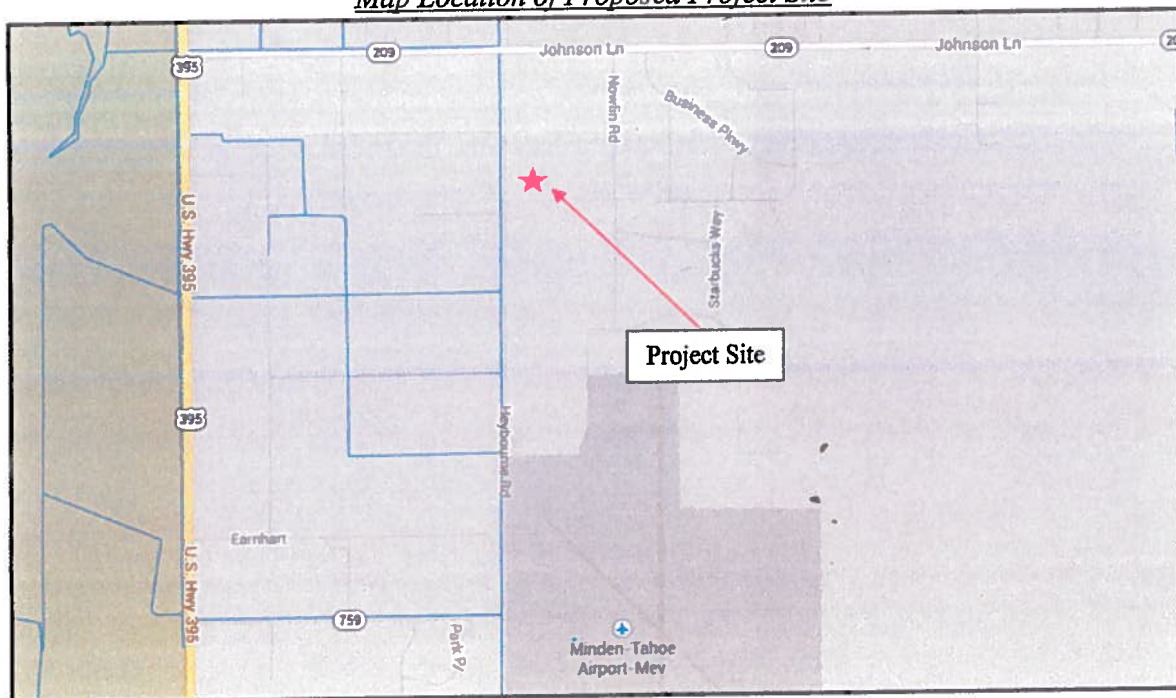
**Introduction**

Verizon Wireless is seeking to improve communications service to residences, businesses, public services, and area travelers in Minden, NV. Verizon maintains a strong customer base in Douglas County and strives to improve coverage for both existing and potential customers. The proposed facility will provide capacity relief for existing Verizon towers and bring improved wireless communication coverage to commercial and residential usage in northern Minden. This project will expand Verizon's existing network and improve call quality, signal strength, and wireless connection services in Douglas County. The improved wireless service will benefit residents, local businesses, public services, and roadway safety throughout the region.

**Project Location**

Verizon proposes building a new wireless communications facility on the property located at Heybourne Road, Minden, NV 89423. The property is located in the Light Industrial (LI) zone and surrounded by similarly zoned LI as well as Agriculture (A-19) parcels. The 40-acre parcel is located east of Hwy 395 in an unimproved industrial area.

*Map Location of Proposed Project Site*



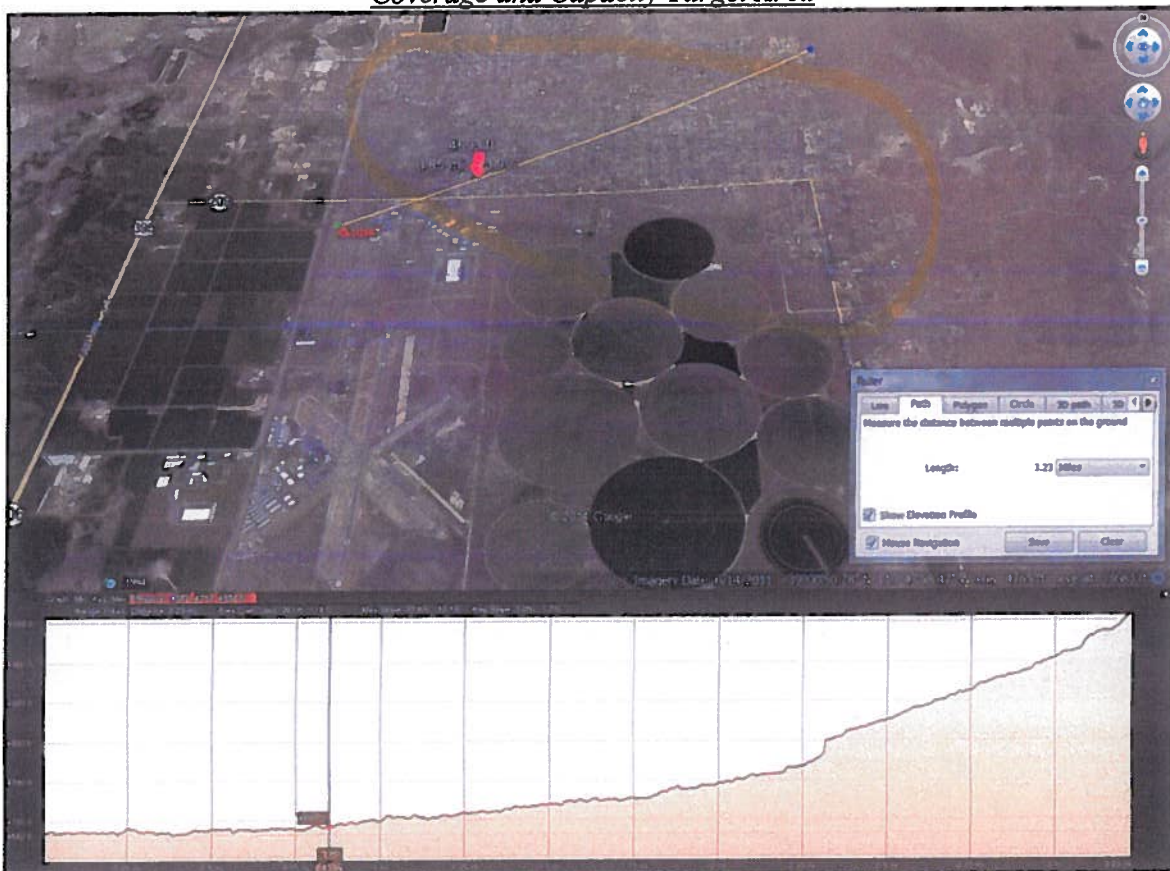
### **Project Description**

The proposed facility consists of six (6) Verizon antennas and associated equipment mounted on a proposed 105.1' tall monopole with a steady red obstruction prevention light mounted at the top. The lease will house all equipment for the antennas at the base of the structure, including a pre-fabricated equipment shelter, overhead power and telecommunications utilities, a standby generator, and a coaxial cable ice bridge. The unmanned facility will provide enhanced wireless network coverage 24 hours a day, 7 days a week.

### **Service Objectives**

The objective of the Proposed Facility is to provide support capacity to Verizon's existing overloaded facilities and to provide coverage to the populated area located northeast of the site. In determining where to locate the facility, the radio frequency (RF) engineer takes into account many factors, such as topography, proximity to existing structures, current coverage areas, existing obstructions, etc. The monopole is set at its minimal functional height. The taller height is needed to service the populated area located northeast of the site as shown below within the yellow ring. There is a significant decrease in coverage for this area when lowering the height of monopole, due to the area being located on an uphill slope.

*Coverage and Capacity Target Area*



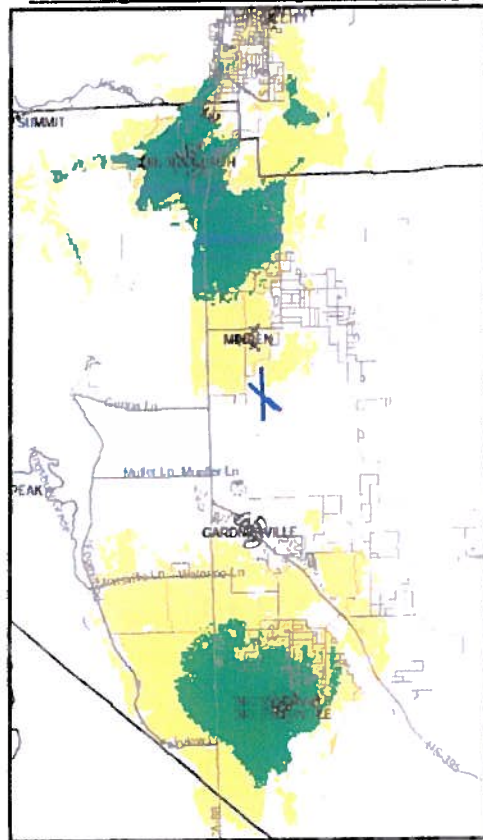
### **Service Capacity Objectives**

The Proposed Facility is intended to improve capacity issues, provide congestion relief for existing Verizon sites and provide reliable service to the area. Minden and Douglas County are in need of additional capacity, which is the need for more bandwidth of service. Because a telecommunications site can only handle a limited number of voice calls, data mega bites, or total number of active users, when any one of these limits are met, the user experience within the coverage area of that facility quickly degrades during the busier hours of use.

Reliable and robust wireless networks are an increasing importance with the growth and use of cellular phones and data driven devices. This Proposed Facility is designed to accommodate offload from the existing sites, “Minden North,” 4.97 miles from the search ring center, and “Gardnerville,” 5.11 miles to the south. A wireless communication facility is required around the Highway 395, north of Minden area because the existing facilities are not capable of providing sufficient service and address rapidly increasing data usage in the objective area.

The coverage maps below show the Minden area with the Proposed Facility, without the Proposed Facility, and the capabilities of the Proposed Facility by itself. The green areas show good indoor and outdoor coverage, the yellow shows good outdoor coverage only, and the white areas show poor or no coverage. The purple “X” denotes the location of the Minden-Tahoe Airport.

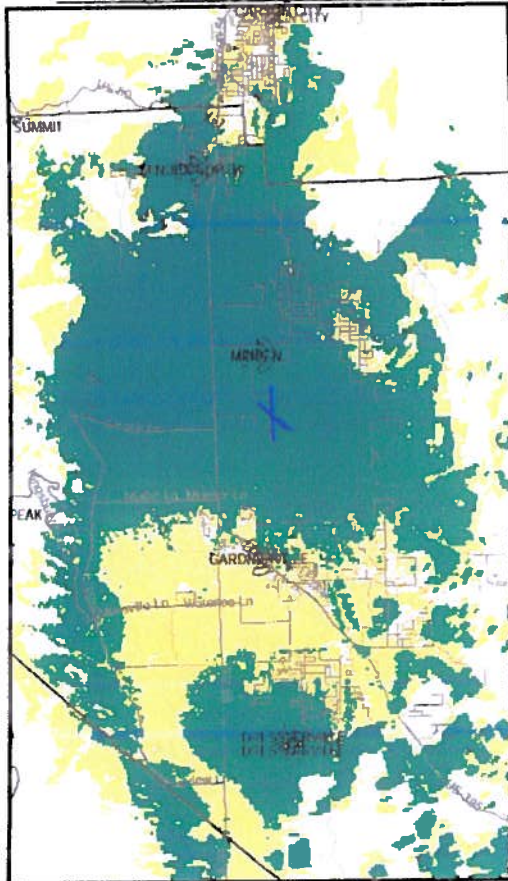
**Coverage without Proposed Facility**



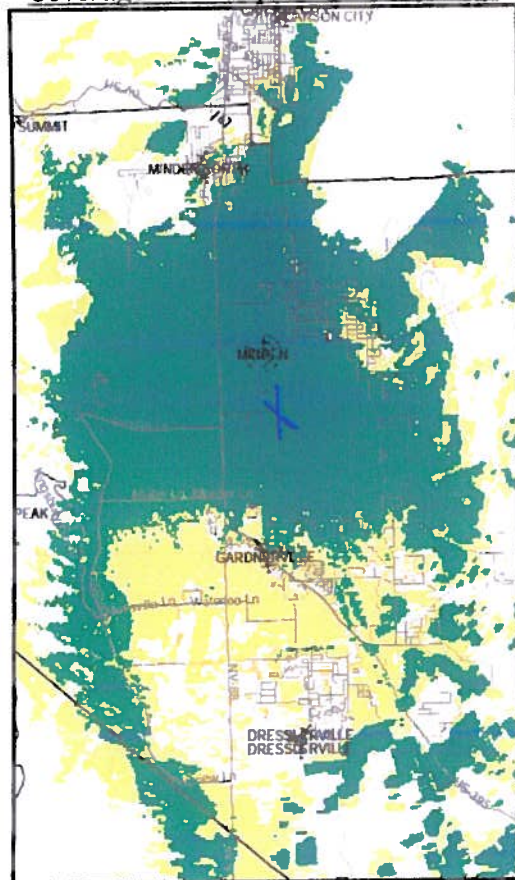


Project Support Statement – Verizon Wireless “Minden”

Coverage with Proposed Facility



Coverage with Proposed Facility Only



**Compliance with County Development Standards**

Under Douglas County Municipal Code §§ 20.660.130(I) and 20.664.180(A)(2), this Proposed Facility is considered a telecommunications facility and requires a Special Use Permit.

Here, the overall height of 105.1’ reflects the minimum functional height needed to achieve Verizon’s service objective of providing better and more efficient capacity in the greater Minden and Douglas County area. The Proposed Facility will feature a monopole design and the antennas will be flat, gray with a non-reflective finish to minimize visibility. Verizon’s equipment will be concealed within an equipment shelter. Please see accompanying Site Plans for additional information.

A. Setbacks.

1. Telecommunications facilities and accessory structures that do not exceed the maximum required height of the applicable zoning district must meet the required building setbacks for the zoning district in which the facility is located.

Please see (2) below.

2. Facilities exceeding the height requirement of the zoning district in which the facility is located shall have the following minimum setbacks:
  - a. A minimum of 20% of the structure height or the minimum required setback of the applicable zoning district, whichever is greater, from all property lines.

This Proposed Facility exceeds the height requirement of the LI zoning district in which it sits. The monopole complies with the minimum setbacks of 20% of the structure height. Here, the monopole is situated over 40’ from the closest property boundary (north) of the lease area. The setbacks are clearly met along the other boundary lines.

- b. A minimum of five-times the structure height from any residentially zoned property, master plan designated receiving area, and any existing residence on surrounding properties located within the A-19 or FR-19 zoning districts.

The Proposed Facility complies with this requirement.

- c. A minimum of 2,500 feet from major highway and road corridor rights-of-way, excluding facilities to be located within the town boundaries of Minden or Gardnerville.

The Proposed Facility is not within 2,500’ from a major rights-of-way. The closest major highway is US 395, which is over 5,000’ away.



- d. A minimum separation of one mile between all telecommunications facilities, measured from the nearest point of each structure, including facilities with a valid approval that have not yet been constructed.

The closest Verizon facilities to the Proposed Facility is almost 5 miles away. The four closest facilities to the Proposed Facility are as follows:

- 4.97 miles North (Minden North);
- 5.11 miles West (Gardnerville);
- 8.04 miles Southwest (Daggett Peak); and
- 7.53 miles South (Pinenut Road), future build estimated on-air date 2016.

The four closest, non-Verizon towers are as follows:

- Approximately 2.3 miles South, 2103 Heybourne Road, Minden, NV (owned by Douglas County);
- Approximately 1.8 miles South, Minden Tahoe Airport, Minden, NV (owned by Douglas County);
- Approximately 1.5 miles South, 2298 Heybourne Road, Minden, NV (SpectraSite Communications LLC through American Towers LLC); and
- Approximately 8.5 miles South, 1325 Waterloo Lane, Gardnerville, NV (Global Tower LLC through American Towers LLC).

The Proposed Facility complies with the requirement that all telecommunications facilities have a minimum separation of one mile.

3. Telecommunications facilities shall not be located within the front-yard area when there is an existing building on the parcel.

This requirement is not applicable.

#### B. Design Criteria

1. Support structures for wireless communications antennas shall be monopole type. The use of lattice tower structures or guyed-wire towers is prohibited.

This requirement is met because the telecommunication facility's design is that of a monopole.

2. Monopole support structures may not exceed four feet in diameter unless technical evidence is provided showing that a larger diameter is necessary to attain the proposed tower height and that the proposed tower height is necessary.

This requirement is not applicable. The diameter of the monopole will not exceed four (4) feet in diameter.

3. Wireless communications facility support structures and antennas must be painted a non-glossy color so as to minimize visual impacts from surrounding properties. Specific color is subject to county review based on a visual analysis of the particular site.

This requirement is met. All support structures and antennas are painted a non-glossy, non-reflective color.

4. Accessory structures must be designed and screened according the provisions of the adopted Douglas County design manual.

The Proposed Facility has an 11'-6" x 16'-10.5" equipment shelter with standby diesel generator at the base of the monopole. All the ground equipment will be surrounded with a 6' tall chain link fence with barbed wire and a 12' access gate.

5. Support structures for wireless communications antennas shall be designed to allow at least one additional wireless service provider to co-locate antennas on the structure.

The proposed facility has been designed in a manner that will structurally accommodate additional antennas and/or future co-location. The height of the pole and size of the lease area will provide other carriers with opportunities for future co-location. Verizon welcomes other carriers to co-locate on their facilities whenever possible. Additional ground space is available within Verizon's lease area for at least one future carrier.

6. Towers shall not be artificially lighted unless required by the FAA or other applicable authority. Security lighting must be in conformance with this title and the adopted design manual.

There is no lighting provided at Proposed Facility other than a hooded and downward-angled security light at entry of equipment shelter and a steady red obstruction prevention light at the top of the monopole.

#### C. Access

1. Unmanned telecommunications facilities must have a minimum 12 foot access easement to the facility.

The Proposed Facility complies with this requirement. Here, Verizon has a 15' access and utility easement. Please see Site Plans for more information.

2. When access is from a paved public street or alley, a paved driveway approach shall be constructed a minimum ten feet in length and 12 feet in width at the point of access.

The Proposed Facility complies with these requirements. Please see attached Site Plans.

**D. Signage.**

*A permanent, weather-proof identification sign, approximately 16 inches by 32 inches in size, must be placed on the gate of the fence around the facility or, if there is no fence, on the facility itself. The sign must identify the facility operator(s), provide the operator's address, and specify a 24-hour telephone number at which the operator can be reached so as to facilitate emergency services.*

All Verizon sites are equipped with signage that identifies the facility's operator, provides the operator's address, and specifies a 24-hour telephone number for emergency services on either the equipment shelter or the fence around the perimeter.

**Public Benefits of Improved Wireless Service**

Modern life has become increasingly dependent upon wireless communications. Wireless access is critical to many facets of every-day life, such as safety, recreation, and commerce. This site will allow current and future Verizon customers to have access to wireless services in the areas shown on the Coverage Plots included in this application. Additionally, this site will serve as a backup to the existing landline service in the area and will provide improved wireless communication, which is essential to first responders, community safety, local businesses and area residents. As a backup system to traditional landline phone service, mobile phones have proven to be extremely important during natural disasters and other catastrophes.

**Maintenance and Security**

The Proposed Facility is an unmanned facility that will be locked and accessible only to authorized personnel. A Verizon technician will visit the site approximately twice a month to check the facility for routine inspection and maintenance. Because the wireless facility will be unmanned, there will be no regular hours of operation and no impacts to existing local traffic patterns. No water or sanitation services will be required.

**Safety Benefits of Improved Wireless Service**

Verizon offers its customers multiple services such as voice calls, text messaging, mobile email, picture/video messaging, mobile web, navigation, broadband access, V CAST, and E911 services. Mobile phone use has become an extremely important tool for first responders and serves as a back-up system in the event of a natural disaster. Verizon will install a standby generator at this telecommunications site to ensure quality communication for the surrounding community in the event of a natural disaster or catastrophic event. This generator will be fully contained within the equipment shelter and will provide power to the telecommunications site in the event that local power systems are offline.

**Standby Generator Testing**

Verizon installs a standby generator and batteries at all of its cell sites. The generator and batteries serve a vital role in Verizon's emergency and disaster preparedness plan. In the event of

a power outage, Verizon’s communications equipment will first transition over to the backup batteries. The batteries can run the site for a roughly 8 hours, depending upon the demand placed upon the equipment. Should the power outage extend beyond the capacity of the batteries, the backup generator will automatically start and recharge the batteries. This two state backup plan is an extremely important component of every Verizon communications site.

As one of the nation’s largest wireless companies, Verizon is the mobile phone service of choice to many Federal, State, and Local public safety agencies. While many public safety agencies employ their own two-way radio systems for intra-agency communications, Verizon’s phones are often the link to other agencies and the outside world. Backup batteries and generators allow Verizon’s communications sites to continue providing valuable communications services in the event of a power outage, natural disaster or other emergency.

#### **Noise Analysis**

The standby generator is operated for approximately 10-15 minutes per week for maintenance purposes. During construction of the facility, which typically lasts around two months, acceptable noise levels will not be exceeded.

#### **Operations & Maintenance**

Visitation to the site by a service technician for routine maintenance typically occurs on an average of once per month. The proposed site is entirely self-monitored and connected directly to a central office where sophisticated computers alert personnel to any equipment malfunction. Because the wireless facility is unmanned, there is no regular hours of operation and no impacts to existing local traffic patterns. No water or sanitation services will be required.

#### **Compliance with FCC Standards**

Verizon complies with all FCC rules governing construction requirements, technical standards, interference protection, power and height limitations and radio frequency standards. In addition, Verizon complies with all FAA rules on site location and operation.

#### **Notice of Actions Affecting This Development Permit**

In accordance with California Government Code Section 65945(a), Verizon Wireless requests notice of any proposal to adopt or amend the: general plan, specific plan, zoning ordinance, ordinance(s) affecting building or grading permits that would in any manner affect this development permit. Any such notice may be sent to 2009 V Street, Sacramento, CA 95818.



**Minden**  
Heybourne Road  
Minden NV 89423

**verizon**wireless

Aerial photograph showing the viewpoints for the photosimulations.



ATTACHMENT 2



## Existing

Photosimulation of the view looking southeast from Johnson Lane at Heybourne Road.

Proposed 105.1 ft monopole

**Minden**

Heybourne Road  
Minden NV 89423

**verizon**wireless

## Proposed



**Existing**

Photosimulation of the view looking west from Nowlin Road at Annie Court.

*Proposed 105.1 ft monopole*

**Minden**

Heybourne Road  
Minden NV 89423

**verizon**wireless

**Proposed**



**Existing**

**Photosimulation of the view looking northeast along Heybourne Road.**

Proposed 105.1 ft monopole

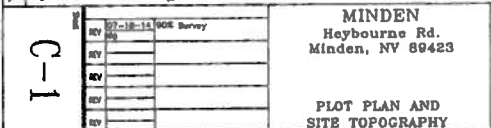
**Minden**

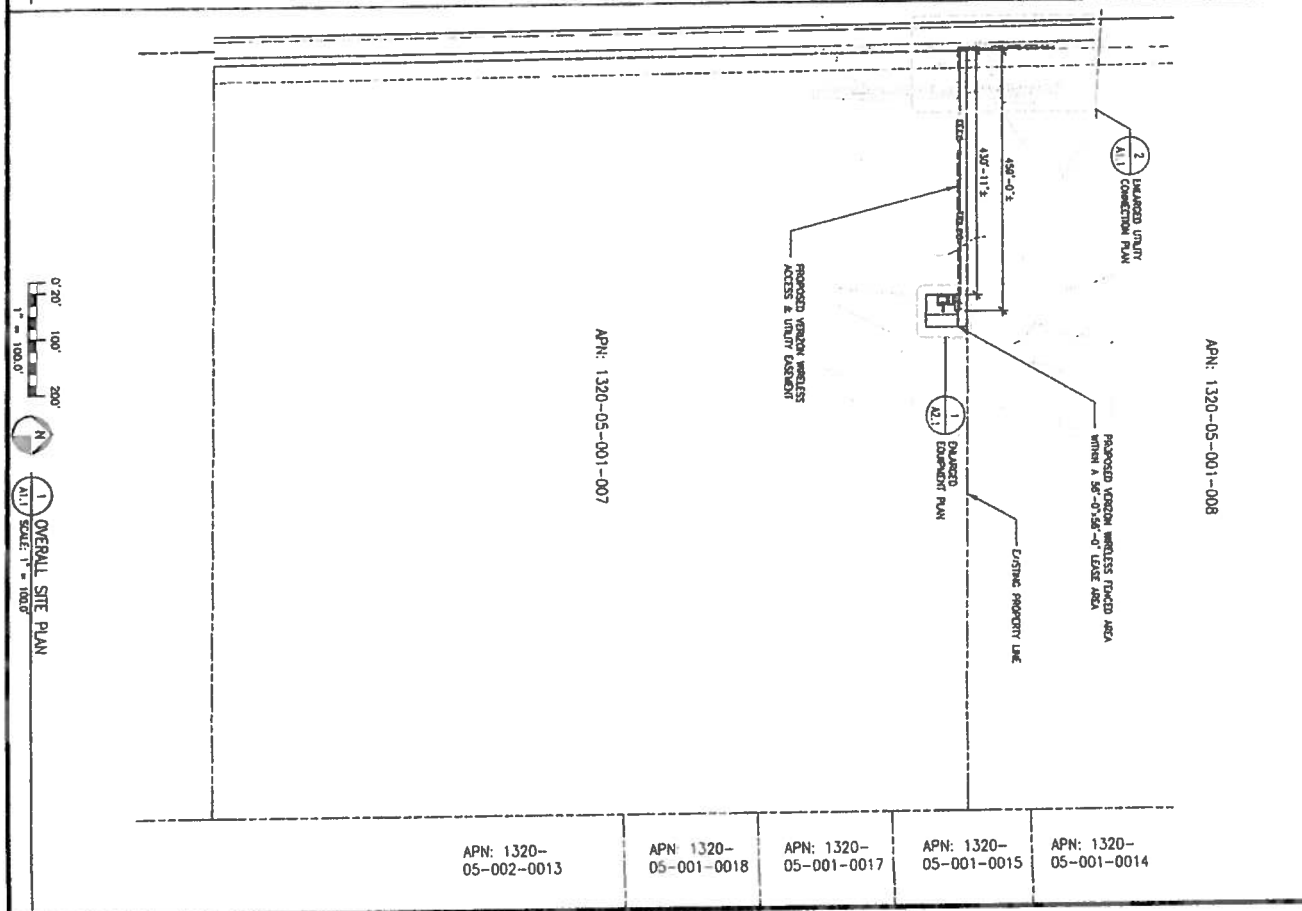
Heybourne Road  
Minden NV 89423

**verizon**wireless

**Proposed**







APN: 1320-05-002--0013

APN: 1320-  
05-001-0018

APN: 1320-05-001-0017

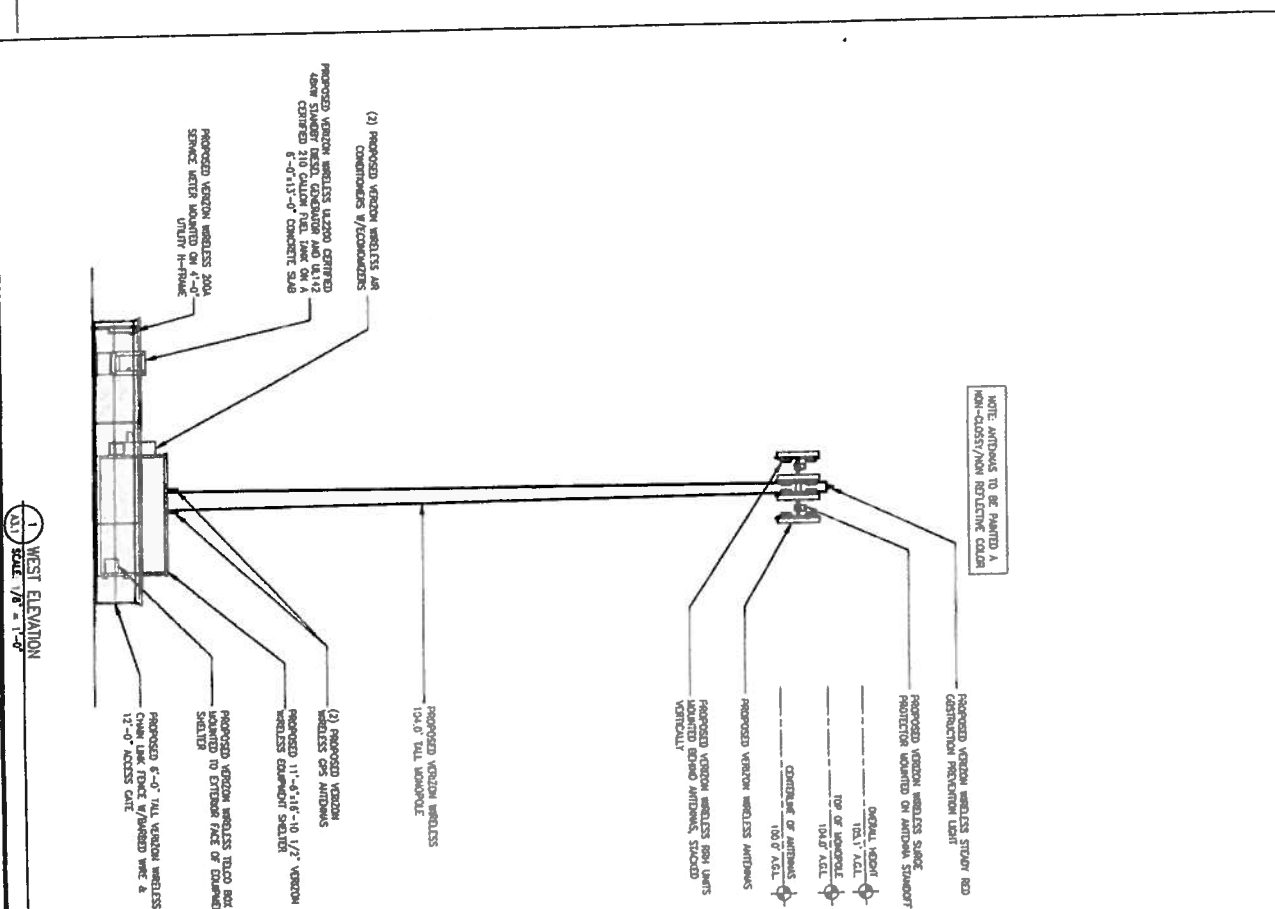
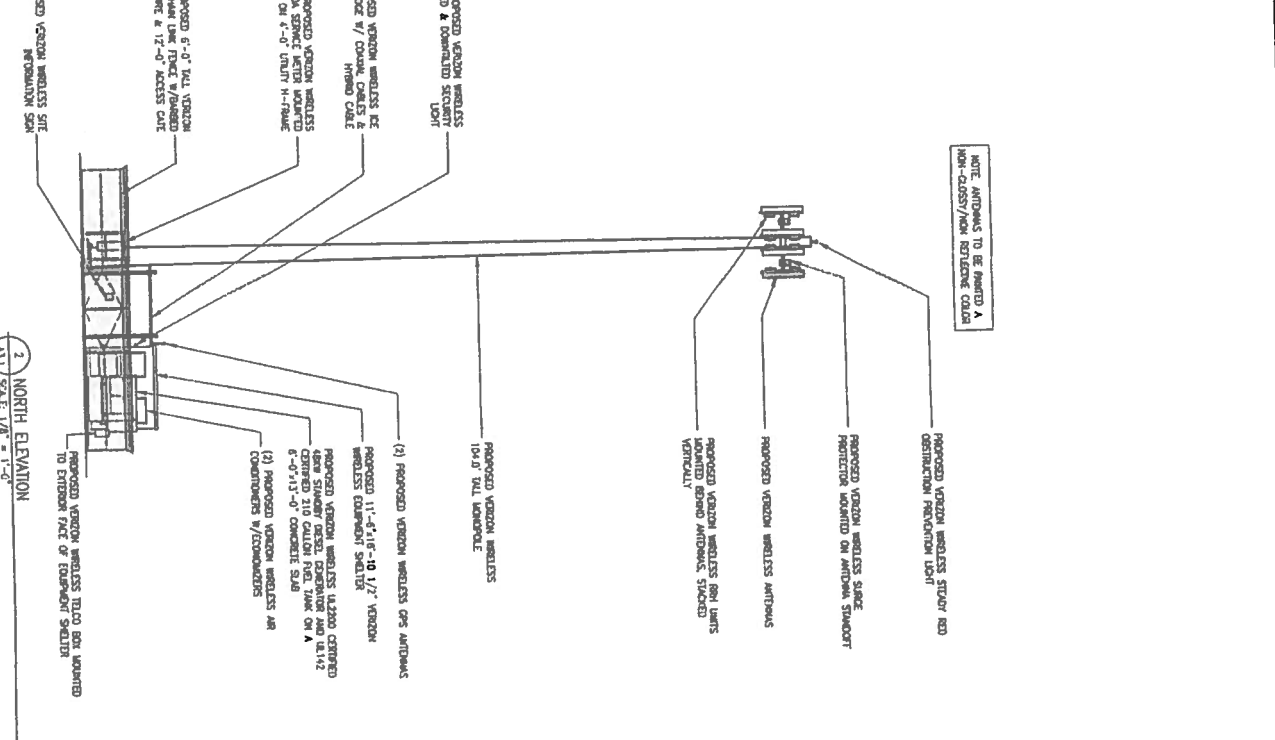
APN: 1320-05-001-0015

APN: 1320-  
05-001-0014



223 30th Street, Suite 201, Sacramento, CA 95816  
Phone: (916) 441-5721 Fax: (916) 441-5807





**A3.1**

**PROJECT ELEVATIONS**

**O'Connor Freeman & Associates**  
Structural Engineering Services  
225 30th Street, Suite 201, Sacramento, CA 95816  
Phone: (916) 441-5721 Fax: (916) 441-5697

Sullivan, Hope

---

**From:** Sullivan, Hope  
**Sent:** Wednesday, October 22, 2014 4:35 PM  
**To:** Johnson, Chris  
**Subject:** RE: Tower

Thanks Chris.

I just called the engineering firm who is working on this, and let them know that they can't build the tower b/c the planes will hit it.

Hope

---

**From:** Johnson, Chris  
**Sent:** Wednesday, October 22, 2014 12:51 PM  
**To:** Sullivan, Hope  
**Cc:** Thompson, Bobbi  
**Subject:** Tower

Hope,

I believe this is the same outfit that I spoke with back in June. I told them that the proposed parcel will not be a suitable location for a 106' tower. He asked about anywhere on that parcel, and I told him then that there was not really anywhere on that parcel that would work.

The traffic from Runway 34, which is our **primary runway**, departs and turns left before Johnson Lane. Locating the tower there is going to put an obstacle directly in the traffic pattern of departing traffic from Runway 34, or arriving traffic on Runway 16. Our Noise Abatement Procedures also ask pilots to turn left before Johnson Lane to avoid overflying the residential area to the north. That is where that tower would be.

But, more importantly, there are Federal Aviation Regulations (FAR Part 77) that provide regulations on the approaches to and from a runway. I created a map for you (attached to this email) that shows our existing approach surface, and the planned approach surface according to our Airport Master Plan. The proposed tower would breach the planned approach surface.

In April of 2013, I was sent a map with three locations that someone wanted to build towers, two to the north, and one on the existing tower to the west of the airport. I reported to them that the northern locations would not work due to the traffic off of Runway 34 (our primary runway). I told them that increasing the height of the existing tower to the west would not be a problem in any way.

In June, David Downs at Complete Wireless emailed us asking about the tower in the same location you sent to us. I replied to his email with the following:

David,

I would **NOT** agree with that location. That tower is in the approach surface of Runway 16.

According to our ALP, that is currently a non-precision approach runway, meaning it is a 34:1 slope from the end of the Obstacle Free Zone (200') at the end of RWY 16. Based on that information, the tower could be 108' tall. That is if the tower is 3,900' beyond the end of the runway as stated. If it gets closer, that number drops quickly.

Distance of tower, 3,900' – Obstacle Free Zone, 200' = 3,700'      Length / height based on a 34:1 slope:  $3,700 / 34 = 108'$

My biggest problem with that location is the planned future of the runway. That runway is slotted to become a Precision Instrument Approach runway on our Airport Layout Plan. That will increase the slope to 50:1.

Length / height based on a 50:1 slope:  $3,700 / 50 = 74'$

*The proposed tower would breach the Approach Surface by 16' when the runway becomes a Precision Instrument Approach runway.*

Another very serious concern is the fact that the new tower location is directly under the traffic pattern for powered aircraft, and is directly under recommended noise abatement procedures.

What is their reason for switching from the previously approved location? I just approved an increase in tower height on the existing tower for Community Planning, and understood that it was for a Verizon tower.

If you would like to set up a meeting with them, we can discuss locations for a tower. I cannot recommend or support the location that they are proposing.

Let me know if they would like to meet, or if you need anything else.

Thank you,

Christopher Johnson  
Operations Supervisor  
Minden-Tahoe Airport (KMEV)  
Office: (775) 782-9871  
Fax: (775) 782-9872



-----Original Message-----

From: Thompson, Bobbi  
Sent: Tuesday, October 21, 2014 1:49 PM  
To: Johnson, Chris  
Subject: FW: Scanned from a Xerox multifunction device

Chris,,

Please check and let Hope know.

Bobbi Thompson  
Airport Manager  
Minden-Tahoe Airport  
775-782-9871

---

From: Sullivan, Hope  
Sent: Tuesday, October 21, 2014 10:40 AM  
To: Thompson, Bobbi  
Subject: FW: Scanned from a Xerox multifunction device

Bobbi:

Please see the attached vicinity map. I am seeking to locate a 106 foot monopole at this location. Will this create any interference with airport flight paths

Thanks.

Hope

-----Original Message-----

From: 2ndfloorxerox co.douglas.nv.us mailto:2ndfloorxerox co.douglas.nv.us  
Sent: Tuesday, October 21, 2014 10:41 AM  
To: Sullivan, Hope  
Subject: Scanned from a Xerox multifunction device

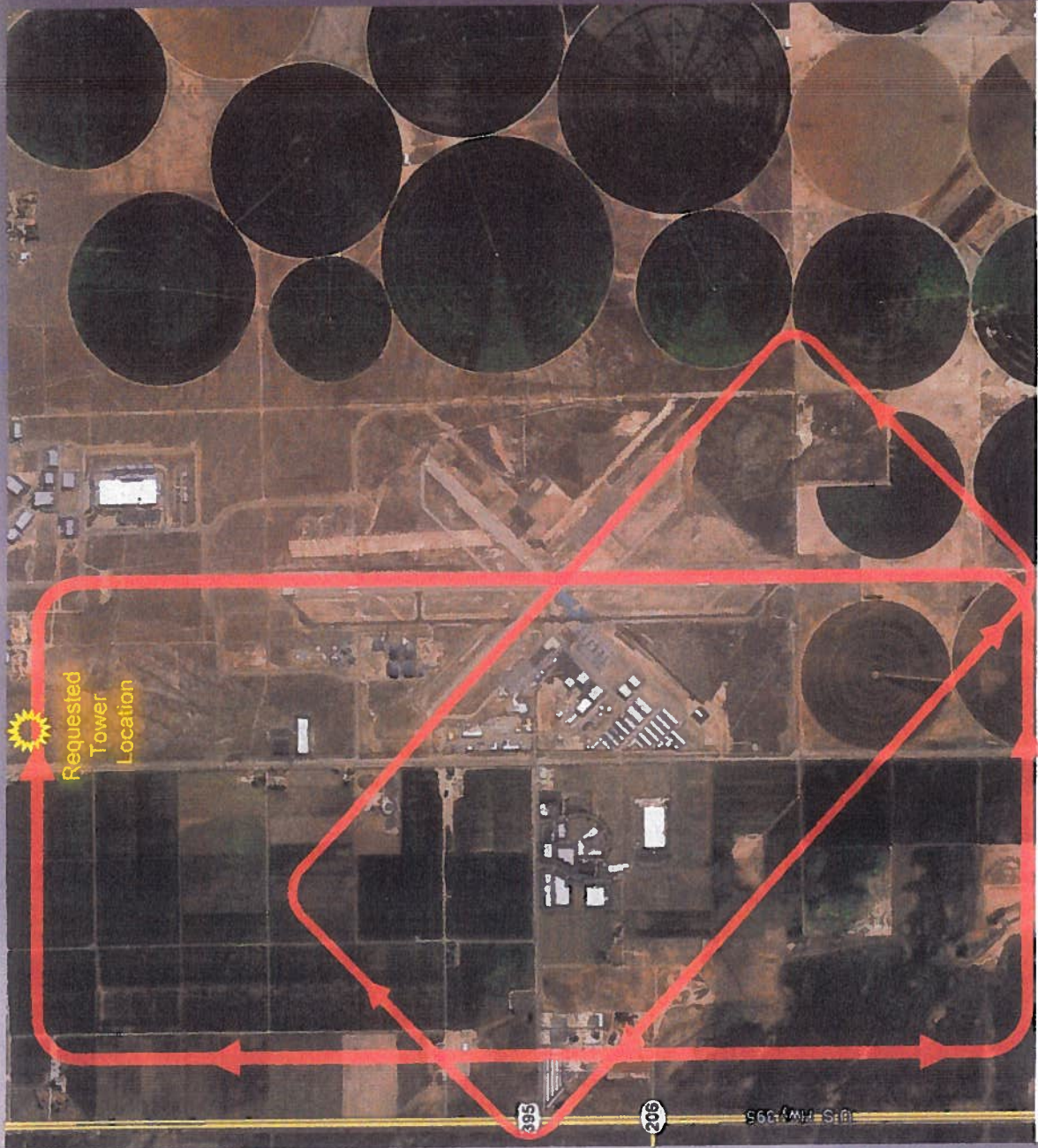
Please open the attached document. It was scanned and sent to you using a Xerox multifunction device.

Attachment File Type: pdf

multifunction device Location: machine location not set Device Name: Xerox Cube9303 3rd Floor

For more information on Xerox products and solutions, please visit <http://www.xerox.com>





# Powered Traffic Pattern



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76193

## ATTACHMENT 6

Aeronautical Study No.  
2014-AWP-7310-OE

Issued Date: 02/04/2015

Jim O'Dowd  
Verizon Wireless  
180 Washington Valley Rd  
Bedminster, NJ 07921

### **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Monopole Minden
Location:	Minden, NV
Latitude:	39-01-22.66N NAD 83
Longitude:	119-45-33.67W
Heights:	4685 feet site elevation (SE) 106 feet above ground level (AGL) 4791 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)  
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 08/04/2016 unless:

- the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- extended, revised, or terminated by the issuing office.
- the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.



NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (310) 725-6591. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-AWP-7310-OE.

**Signature Control No: 230613777-242382523**

( DNE )

Tamera Burch  
Technician

Attachment(s)  
Frequency Data

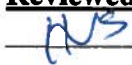

cc: FCC

# Frequency Data for ASN 2014-AWP-7310-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

## Douglas County Planning Commission

### AGENDA ACTION SHEET

1. **Title:** For possible action. Discussion on Development Application (DA) 15-013, a Special Use Permit to construct and operate a commercial solar photovoltaic facility with associated power generating equipment on seven parcels totaling 260 acres. The subject property is located at 760 Muller Lane within the A-19 (Agriculture, nineteen-acre minimum net parcel size) zoning district and within the South Agriculture Community Plan (APNs 1319-24-000-008, -009, -011, 1319-13-000-008, -009, -010, and -011). The applicant is Derek Fromm, Greenstone Renewables, LLC. The Planning Commission may approve, approve with modifications or deny the request.
2. **Recommended Motion:** Approve Development Application (DA) 15-013, a Special Use Permit for Derek Fromm, Greenstone Renewables, LLC, to allow a Solar Photovoltaic Facility on property located within the A-19 zoning district based on the findings and conclusions in the staff report and subject to the recommended conditions.
3. **Prepared by:** Emery J. Papp, Senior Planner
4. **Meeting Date:** April 14, 2015                      **Time Required:** 1 Hour
5. **Agenda:** Public Hearing
6. **Background Information:** The applicant is seeking approval to construct and operate a commercial solar photovoltaic facility with associated power generating equipment on seven parcels totaling 260 acres in the A-19 zoning district in the South Agriculture Community Plan Area.
7. **Committee/Other Agency Review:** The Minden Gardnerville Sanitation District will need to consider any changes to the existing effluent reuse agreement, if applicable, and the Nevada Department of Transportation will need to review for any access improvements to the State Highway.
8. **Reviewed by:**  
\_\_\_\_\_  Planning Manager                       Community Development Director
9. **Commission Action:**  
\_\_\_\_\_ Approved                      \_\_\_\_\_ Approved with Modifications  
\_\_\_\_\_ Denied                          \_\_\_\_\_ Deferred  
\_\_\_\_\_ Other

Agenda Item #   1



## COMMUNITY DEVELOPMENT

1594 Esmeralda Avenue, Minden, Nevada 89423

Mimi Moss

COMMUNITY DEVELOPMENT DIRECTOR

775-782-6201

FAX: 775-782-6297

website: [www.douglascountynv.gov](http://www.douglascountynv.gov)

Planning Division  
Engineering Division  
Building Division  
Code Enforcement

### MEMORANDUM

Date: April 14, 2015

To: Douglas County Planning Commission

From: Emery J. Papp, Senior Planner, Direct Line 775-782-9012

Subject: Development Application (DA) 15-013, a Special Use Permit for a commercial solar photovoltaic facility on seven parcels totaling 260 acres

#### I. REQUEST

A request for a Special Use Permit (DA 15-013) for a Solar Photovoltaic Facility on property located north of Muller Lane and west of Highway 395 (APNs 1319-24-000-008, -009, -011, 1319-13-000-008, -009, -010, -011), in the A-19 (Agricultural 19) zoning district and in the South Agriculture Community Planning area. The applicant is Derek Fromm, Greenstone Renewables, LLC. The Planning Commission may approve, approve with modifications or deny the request.

#### II. RECOMMENDATION

Approve Development Application (DA) 15-013, a Special Use Permit for a Solar Photovoltaic Facility subject to the following conditions, and based on the ability to make all of the required findings in the affirmative.

##### *Recommended Conditions of Approval:*

1. The applicant/owner shall obtain written confirmation from the Minden-Gardnerville Sanitation District regarding the projects' impact, if any, to the existing effluent reuse agreement on the subject parcels.
2. The applicant/owner must apply for and obtain Design Review approval prior to applying for either a building permit or a site improvement permit.
3. The project must meet all provisions of Douglas County Code section 20.664.260, standards for a Solar Photovoltaic Facility.
4. The applicant/owner shall coordinate with Nevada Department of Transportation for an encroachment permit if any upgrade of access is required into the site.
5. The Design Review application must include a fencing detail and a lighting detail to ensure that both are consistent with the agricultural character of the area.

6. The Design Review application must be reviewed by the Water Conveyance Advisory Committee prior to applying for either a building permit or a site improvement permit.
7. Landscaping between the photovoltaic facility and all property lines shall be maintained as irrigated farmland including native grasses and shrubs, and maintained in a weed-free condition. Additionally, a landscape buffer shall be planted with dense trees and native shrubs and groundcover along the northerly property line to lessen the visual impact for properties located north of the project site at 661 Genoa Lane.
8. The applicant/owner shall prepare and submit a detailed dust control plan to address dust control and wind erosion during construction and from interior access roads and from disturbed areas once the facility is operating.
9. The maximum noise level at the property line will not exceed 60 dBA at any time.
10. All access roads to and on the site shall be all weather accessible and have the capability to support a 50 ton load.
11. All internal access roads shall have a minimum surface area of no less than 12 feet wide, with 20 feet of clear space, and meet all turning radii subject to the standards set by the East Fork Fire District.
12. A Knox Box and Knox key shall be supplied at each locked access gate.
13. All vegetation shall be managed through implementation of a Vegetation Management Plan to be submitted as part of the Design Review application and approved by the East Fork Fire District and the Community Development Director to eliminate the spread of wildfire through the solar farm and to reduce the possibility of fugitive dust, water and wind erosion of the topsoil.
14. A complete fire life safety plan/construction review shall be completed by the East Fork Fire District prior to the issuance of construction permits.

### III. PROJECT DESCRIPTION

Project Information	
Property Owner	Park Ranch Holdings, LLC 1300 Buckeye Road, Suite A Minden, NV 89423
Applicant	Greenstone Renewables, LLC 6263 N. Scottsdale Road, #290 Scottsdale, AZ 85250
APN's	1319-24-000-008, -009, -011, 1319-13-000-008, -009, -010, -011
Zoning Designation	Agriculture, 19-acre Minimum Lot Size (A-19)
Master Plan	South Agricultural Community Plan
Existing Use	Limited Agricultural use
Parcel Size	260 acres (comprised of 10 parcels)

The applicant is seeking to establish a utility-scale solar energy facility producing up to 40 megawatts in the A-19 (Agriculture – 19 acre minimum parcel size) zoning district. Section 20.650.010 A. of the Douglas County Code (DCC) describes the A-19 zoning district by stating:

*“The purpose of the A-19 district is to implement the Douglas County master plan, to conserve agricultural resources, preserve open spaces and the rural character of the county, and to direct urbanization into manageable and identified development areas. This is a low*

*density land use district with a maximum permitted density of one home per 19 gross acres. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this land use district."*

Section 20.654 of the DCC contains a use matrix table which identifies those uses which may be allowed within the Agricultural and Forest and Range zones. Subsection .130 of this Table indicates that a solar photovoltaic facility may be permitted in the A-19 and FR 19/40 zones subject to approval of a special use permit. It should be noted that pursuant to this permitted use matrix, the DCC considers this use a "Utility and public service use."

The existing site for the proposed project is irrigated farmland primarily used in the past as pastureland. The site is located approximately 2,400 north of Muller Lane, and approximately 2,500 west of Hwy 395. The soil types located within the subject site are known to be moderate to poor soils and are noted as not being prime agricultural land as the quality of the poor soil is slight to high alkali. The soil type information is included in maps provided by the Walker's and included as Attachment 10. The site is relatively flat, with an average slope of about 2 percent, generally draining in a south east to north west direction. A portion of the site, approximately 1/3 of the site in the southwesterly portion is located within Flood Zone X (500-Year Flood), shaded. As a result, any development of this area must be elevated above the anticipated high water line, which is approximately 1 foot above the existing grade. Immediately adjacent to and south of the project site are effluent ponds operated by Minden-Gardnerville Sanitation District, and an electric substation and transmission powerlines operated by Nevada Energy.

If approved and constructed, the facility would provide renewable solar energy to be sold to a utility through a long-term power purchase agreement. The facility would provide a clean source of electricity that would supplement the energy capacity of the existing power grid. To reduce potential impacts related to wind or water erosion of the subject property, the applicant proposes to leave the existing vegetation on-site and develop a vegetation management plan utilizing either sheep or goats as needed to maintain the height of the vegetation. The applicant does not propose the application of herbicides for vegetation maintenance. Staff has recommended condition number 13 to address this concern. The East Fork Fire District has also requested the inclusion of a perimeter road that will serve as a fire break to reduce the potential for the spread of, or containment of grass fires impacting the site or surrounding properties.

The project is proposed to consist of perimeter and internal access roads, solar panels, a single-access tracking system, power inverters, transformers, a voltage collection system and, if approved, will tie into an existing substation and existing transmission lines immediately adjacent to the project site. The proposed method of construction will involve minimal grading. The single-axis support posts will be driven into the existing soil using pile drivers. No site grading is proposed except for what may be necessary to construct fire department access roads into and around the subject site.

The panels, once mounted, will have a maximum height measure from the natural grade of fifteen feet established by Douglas County Code. The panels are proposed to be located approximately 2,400 feet north of Muller Lane, and approximately 2,500 feet west of Highway 395. The solar panels, once erected, will be set back from all property lines a minimum of 100 feet. In addition, the nearest residential structure is located to the northwest more than 300 feet away from the closest solar photovoltaic panels on the subject site.



Once constructed, the panels would be visible at a distance of nearly ½ mile from Hwy 395 looking west, as indicated in Attachment 5 which shows the height of the panels at the maximum condition allowed by Code, at 15 feet. The most notable condition would be during the morning hours, when the panels would be tilted toward the east (facing Hwy 395), and the late afternoon hours when the panels are tilted toward the west (facing Genoa). The height of the panels when tilted would be less than 15 feet high. The final design height of the tilted panels will be determined during design review. The East Fork Fire District has required a perimeter road for accessibility into and around the site. To construct the perimeter road, it must be elevated above the flood zone x-shaded levels and compacted to accept 50,000 pounds which is the approximate weight of fully loaded firefighting apparatus. The height of the perimeter road above natural grade is unknown at this time, but the entire road will serve as a berm to partially obstruct the views from all directions looking into the site at ground level. The supplemental standards for development of a solar photovoltaic facility also requires that solar panels must utilize a film that is not reflective to reduce the potential for light and glare.

Attached to this staff report is a vicinity map, the applicant's statement of justification and operations, conceptual site plan, aerial view of the site, street views and photo-simulations, solar array details and specifications, noise study, and public comment via email communication, Information packet from Steve and Mary Walker, and information from the United States Fish and Wildlife Service as Attachments 1 through 10, respectively. The applicant has commissioned a study from the Nevada Department of Wildlife, but that study will not be completed until April 24, 2015. The USFWS information includes lists of threatened or endangered animal and plant species which are protected in Nevada.

Regarding public comment, staff has received several emails (refer to Attachment 8), and several telephone calls from concerned residents who oppose the project. The major issues of concern are the loss of irrigated pastureland, visual impacts, noise generation, impacts to wildlife and suitable habitat, dust control, potential for contamination of soils and water, heat generation, and land use compatibility. Staff received one email from an adjacent property owner who supports the proposed project.

#### **IV. REVIEW REQUIRED**

##### **Special Use Permit**

The applicant is seeking to obtain permission to establish the proposed use at this location, and is proposing to submit an application for Design Review at a future date if the Special Use Permit is granted. Note proposed condition number 2 requires that the applicant obtain Design Review prior to applying for a building permit or a site improvement permit.

Per the provisions of Section 20.604.050 of the Douglas County Code, the Planning Commission is authorized to grant a Special Use Permit, after conducting a public hearing, upon making the required findings contained in Section 20.604.060 of the Douglas County Code. The Planning Commission may identify conditions of approval that are necessary to make the findings.

Per the provisions of Section 20.654.020 of the Douglas County Code, a Solar Photovoltaic Facility may locate in the A-19 zoning district subject to the issuance of a Special Use Permit and Design

Review approval. Section 20.664.260 of the Douglas County Code identifies the required supplemental standards that must be met to approve this use.

Section 20.664.260 Solar Photovoltaic Facility

A Solar Photovoltaic Facility as a principal use of land must meet the following standards.

- A. The height of the solar photovoltaic unit may not exceed a height of 15 feet when measured from pre-development grade.  
*The final height of the solar photovoltaic cells will be determined during the design review should the project receive approval of the Special Use Permit.*
- B. The solar photovoltaic units must be setback a minimum of 100 feet from any lots adjacent to the subject property that are zoned residential.  
*The applicant will lease approximately 260 acres from the owner's of the subject project site. The applicant has also noted that the size (measured in physical area) of the project may vary depending on the number of Megawatts to be generated on-site and the type of panels used. Because the size of the solar array field can vary, the applicant has expressed a willingness to increase the minimum separation of 100 feet from the solar panels to the nearest residentially zoned property.*
- C. The facility must comply with all Federal Aviation Administration requirements as applicable.  
*The project is located outside of the boundaries of the Minden-Tahoe Airport Master Plan Area and therefore the project was not reviewed by the Douglas County Airport Advisory Committee or the FAA. Pursuant to the Code of Federal Regulations (CFR) Title 14 Part 77.9, the applicant completed an FAA Online Notice Criteria Tool. The result of the submittal indicated that the proposed project is outside of the Notification Range to notify the FAA of the proposed solar farm. Further explanation can be found on page 6 of Attachment 2.*
- D. The site may not be illuminated at night with the exception of safety lighting required by the Uniform Building Code in effect at the time of construction.  
*Condition of approval number 5 requires the applicant to submit a lighting plan for review and approval under the design review application.*
- E. Metal surfaces that are shiny must be painted with a non-glossy, earth tone color paint to blend with the desert landscape.  
*The applicant is aware of this requirement and has stated his intent to comply as discussed on page 10 of Attachment 2. The applicant will submit a color and material sample board with the design review application to ensure compliance with the Code.*
- F. Solar photovoltaic units must utilize a film that is not reflective.  
*The applicant is aware of this requirement and has stated his intent to comply as discussed on page 10 of Attachment 2. The applicant will submit a color and material sample board with the design review application to ensure compliance with the Code.*
- G. A fee to cover the cost of inspections associated with property maintenance must be paid at the time of building permit issuance.  
*The applicant is aware of and agrees to payment of all fees associated with project approval and for issuance of building permits.*

- H. If the facility is not used for 180 days to generate electricity, the system must be removed and the property restored to its original condition within 120 days. In accordance with the provisions of Section 20.720 of this Chapter, a security to ensure compliance with the terms of this requirement shall be posed at the time of building permit along with photographs of the site. The security will be released upon completion of the site restoration.

*The applicant is aware of this requirement and has described a Decommissioning and Site Reclamation Plan which is stated on page 20 of Attachment 2. Staff is satisfied with the stated decommissioning plan and finds it to be adequate.*

- I. This minimum acreage to establish this use is 160 acres. The acreage may be comprised of contiguous properties, but may NOT be comprised of non-contiguous properties. (Ord. 1416, 2014)

*The applicant intends to construct a facility capable of producing up to 40 Megawatts on up to 260 acres. The applicant is prepared to execute a lease agreement with the property owners for the full 260 acres subject to approval of the SUP. The proposed solar farm project will utilize portions of 7 lots for the arrays, equipment and substation. The project anticipates requiring approximately 200 acres of contiguous land to produce 20 Megawatts, and approximately 260 acres of contiguous land to produce his goal of 40 Megawatts. All of the properties in question are held by the same property owner with access easements already recorded across each lot.*

The proposed use meets, or has been conditioned to meet, all of the above stated supplemental standards. Regarding wind loads and snow loads, upon applying for a building permit, the applicant will be required to submit structural calculations which demonstrate the solar arrays will be in compliance with the wind load and snow load requirements of the building code. Additionally, the applicant has informed staff that the single-access tracking system can be locked in several positions during inclement weather conditions. Pages 12 and 13 of Attachment 2 describes how the tracking system is governed by a computer controller which accounts for daily and seasonal changes in the sun's position. The controller is fed with constant information from a weather station which is located on site and has multiple overrides allowing the system to be shut down by the controller, remotely from off-site, or manually by an on-site technician. During normal operations, the computerized controller can move and lock the tracker to the safest position to avoid damage due to serious weather conditions. When the tracking system is off, the panels are effectively locked down. For example, during periods of high winds, the panels can be locked in a horizontal position, reducing the amount of wind resistance and drag. During times of snow, the panels can be locked in a tilted position, allowing snow to shed off the panels.

## **V. FINDINGS**

### **Findings for a Special Use Permit**

The following findings required by Douglas County Code Section 20.604.060 are recommended to the Planning Commission for approval of the Special Use Permit based on the evidence provided by the applicant and contained within this staff report:

- A. The proposed use at the specified location is consistent with the policies embodied in the adopted Master Plan and the general purpose and intent of the applicable district regulations.

**Staff Response:** Policy 15.1 of the Environmental Resources and Conservation Element of the Douglas County Master Plan states “The County shall support the development of non-polluting renewable energy sources, such as solar, wind and geothermal energy, through the provision of appropriate energy sources, such as solar, wind and geothermal energy, through the provision of appropriate land use designation and development regulations, which provide for on-site use of these energy resources.” The proposed use will allow for the establishment of a non-polluting renewable energy source that will benefit off-site as opposed to on-site users.

LU Policy 3.4 of the Douglas County Master Plan states “Douglas County shall only approve rezoning, special use permits, the division of land, or other new development proposals or public projects that are consistent with the Future Land Use Map, the policies contained in this Land Use Element, and other elements of this Master Plan.” In addition, pursuant to Title 20 of the Douglas County Code, the proposed use is allowed through the approval of a Special Use Permit and a Design Review application.

The site is currently unoccupied and fallow, and sporadically covered with native grasses, salt grass, Green Rabbit Bush, and Black Greasewood, see page 5 of Attachment 10. A large portion of the project area is considered to have moderate to low agricultural value due to poor soils with high alkali levels. This area of the South Agricultural Community Plan is primarily comprised of large lot agriculture, horse properties, and vacant A-19 lots. To encourage compatibility per LU Policy 3.4, staff has recommended a condition that the area between the solar units and the property line be maintained as irrigated farmland, and planted with native grasses and brush. Additionally, staff is recommending a condition that requires submittal of a fence detail and a lighting detail as part of the design review process so that staff can confirm that both are compatible with agricultural and rural residential uses in the area.

- B. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include, but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both, to mitigate such impacts, so as to ensure no negative off-site impacts.

**Staff Response:** As proposed to be conditioned along with the established supplemental conditions, the proposed use at the proposed location will preserve the character and integrity of the adjacent farmland and rural development.

Per the supplemental conditions, the height of each solar array cannot exceed a height of 15 feet when measured from pre-development grade. This will result in the units not exceeding the height of a typical garage. The final height of the actual installed panels will be determined during design review.

Also per the supplemental conditions, the units must be set back at least 100 feet from any lots adjacent to the subject property that are zoned residential.

Per code, the site may not be illuminated at night with the exception of safety lighting that is required by the Building Code. Metal surfaces that are shiny must be painted with a non-glossy, earthtone paint to blend with the desert landscape, and the units must utilize a non-reflective film.

The applicant has submitted a Noise Assessment indicating that the noise generated at the site will not exceed 60 dBA at the property line. Staff has recommended condition of approval number 9 to this effect. Staff would further note that as the facility will not operate in the dark, the noise level will be reduced during evening hours.

- C. The proposed use will not generate pedestrian or vehicular traffic that will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

**Staff Response:** The proposed use will not generate pedestrian or vehicular traffic that will be hazardous or conflict with the existing and anticipated traffic in the rural community. Construction traffic will be temporary and will take access off of Muller Lane. Once operational, the facility is expected to generate few trips except for routine maintenance of the site and the solar arrays.

- D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.

**Staff Response:** The site will not generate traffic beyond an occasional maintenance vehicle. No roadway improvements or traffic control devices are required to meet this finding.

- E. The proposed use incorporates features to minimize adverse effects, including visual impacts, noise, of the proposed special use on adjacent properties.

**Staff Response:** The supplemental standards of the code are crafted to address visual impacts by prohibiting shiny surfaces that create glare, requiring the utilization of non-reflective film, limiting the height to 15 feet, and limiting lighting. Staff has recommended condition of approval number 4 that requires submittal of the lighting details and fencing details at the time of design review so as to ensure that these improvements are compatible with the neighboring area. Additionally, staff has recommended condition of approval number 7 to incorporate a dense landscape buffer to obscure views into the project from residences located to the north.

Page 10 of Attachment 10 discusses the potential for heat impacts from the large-scale adoption of solar facilities. The statement indicates that local temperatures can increase by approximately 0.04 degrees Celsius.

- F. The project is not located within an identified archeological/cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report.

**Staff Response:** The project is not located within an identified archeological / cultural study area.

- G. The proposed special use complies with all additional standards imposed on it by the particular provisions of Chapter 20.604 (Special Use Permits) and all other requirements of Title 20 applicable to the proposed special use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of Title 20.

**Staff Response:** As proposed by the applicant and conditioned by staff, the proposal is in compliance with the requirements of Title 20 as it relates to access, setbacks, design, and configuration. The siting of the facility north of the sewer holding ponds, and in close proximity to an existing substation and overhead lines, is appropriate at this location within the A-19 zoning district.

- H. The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare; or result in material damage or prejudice to other property in the vicinity.

**Staff Response:** As conditioned, staff does not find that the proposed project will be materially detrimental to the public health, safety, convenience and welfare, or result in material damage or prejudice to other property in the vicinity. Staff's primary concerns are related to off-site impacts such as glare, lighting, dust, heat and noise. Given the general location of the project is in an agricultural area, adjacent to existing effluent ponds, an existing electric power substation, and high-power transmission lines, the project will not be detrimental to the community. Through the supplemental conditions of the code coupled with the proposed conditions of approval, staff finds that off-site impacts have been addressed.

## **Conclusion**

Based on the discussion in this report, Staff has made the required findings in the affirmative for the Special Use Permit, and is recommending approval subject to the recommended conditions.

### ***PC Attachments:***

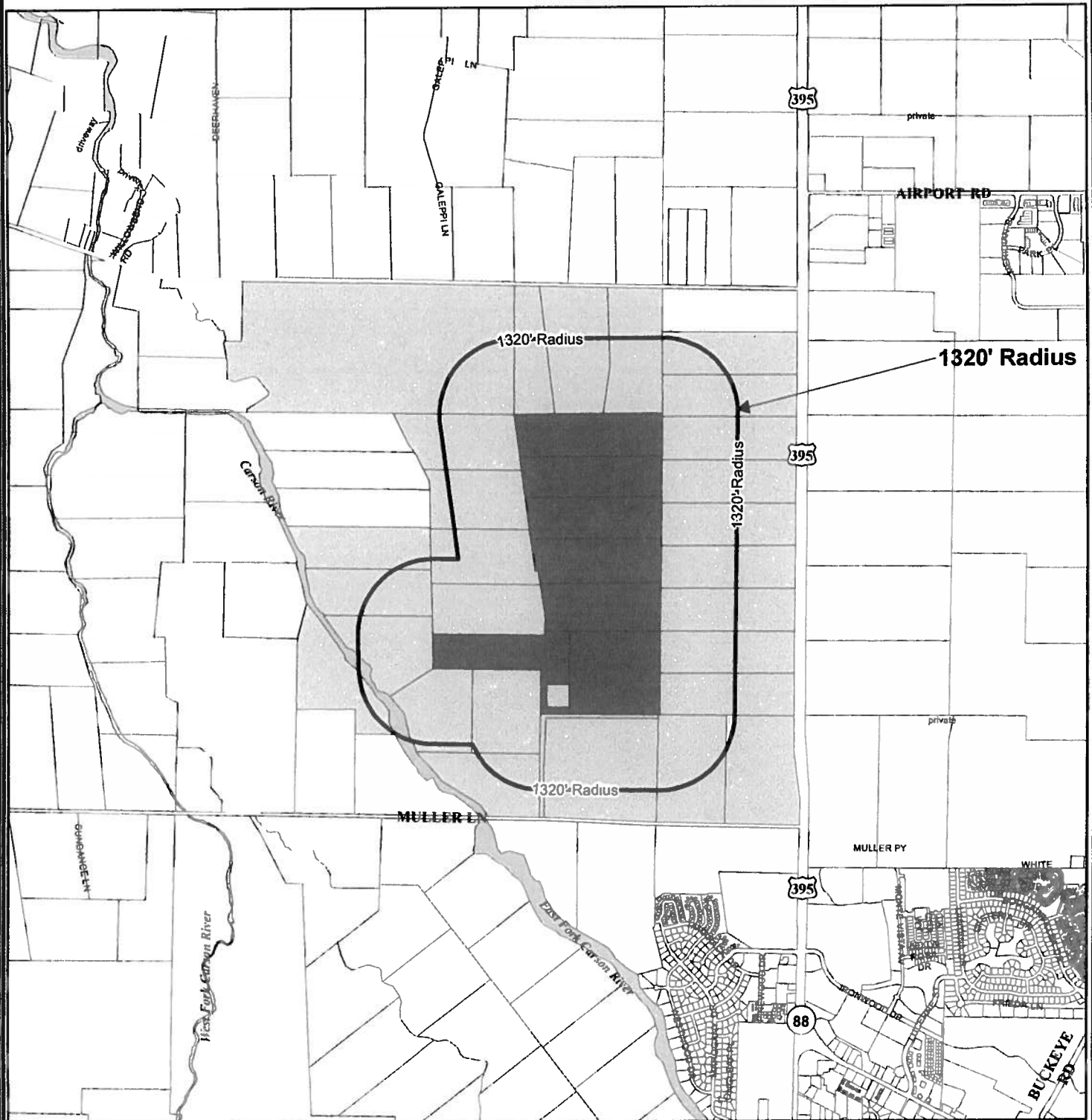
1. Vicinity Map
2. Applicant's Project Description and Findings
3. Conceptual Site Plan
4. Aerial View
5. Street Views and Photo Simulations
6. Detail and Specification Sheets
7. Noise Study
8. Public Correspondence
9. Information Packet from Steve and Mary Walker
10. Information from US Fish and Wildlife Service



# Douglas County Noticing Radius Map

**1320' Radius**  
**MULTIPLE APN'S**

**PC ATTACHMENT 1**



1 inch = 2,400 feet

Print Date: 2/2/2015

## Legend

— Noticing Radius    ■ Subject Parcel(s)    ■ Parcels Within Noticing Radius

The data contained herein has been compiled on a geographic information system for the use of Douglas County. The data does not represent survey delineation and should not be construed as a replacement for the authoritative source, plat maps, deeds, resurveys, etc. No liability is assumed by Douglas County as to the sufficiency or accuracy of the data.





**Request for Special Use Permit for Solar Photovoltaic Facility  
Park Solar Ranch, Minden, Douglas County, Nevada**

**Index**

- 1.0 Project Description
- 2.0 Project Objectives
- 3.0 Justification
- 4.0 Project Components
- 5.0 Construction
- 6.0 Operations and Maintenance
- 7.0 Decommissioning and Site Reclamation Plan
- 8.0 O&M Noise Assessment



## Request for Special Use Permit for Solar Photovoltaic Facility Park Solar Ranch, Minden, Douglas County, Nevada

### 1.0 Project Description

#### Overview

Greenstone Renewables LLC ("Greenstone") proposes to establish a utility-scale solar energy facility producing up to 40 megawatts, to be located in the center of the ranch owned and operated by Park Ranch Holdings ("Landowner") on property located northeast of the intersection of Muller Lane and Highway 395 in the unincorporated area outside the town of Minden. Potentially affected parcels are shown in Table 1 below. The Solar ranch project site occupies approximately 260 acres, all located within Park Ranch, in the Rural Agricultural 19 acre minimum (RA-19) zoning district. Current land use is agricultural. Vegetation within the Project Site consists largely of native grass.

A Project Vicinity Map is shown in Figure 1

**Table 1 Potentially Affected Parcels**

APN (Site ID)	Owner
<b>Solar Generation Facility</b>	
1319-24-000-008	Park Ranch Holdings LLC
1319-24-000-009	Park Ranch Holdings LLC
1319-24-000-011	Park Ranch Holdings LLC
1319-13-000-008	Park Ranch Holdings LLC
1319-13-000-009	Park Ranch Holdings LLC
1319-13-000-010	Park Ranch Holdings LLC
1319-13-000-011	Park Ranch Holdings LLC
<b>Gen-tie Line</b>	
1319-24-000-009	Park Ranch Holdings LLC
1319-24-000-018	Sierra Pacific Power
1319-24-000-019	Douglas County Trustee

### 2.0 Project Objectives

It is the intention of Greenstone for the proposed Solar Farm, upon completion of its construction, to provide renewable energy to a utility either (i) under a long-term (20 to 30 years) power purchase agreement, or (ii) to sell the proposed Solar Farm to the utility.



The proposed Solar Farm represents a clean source of electricity to supplement the energy capacity of the existing power grid, thereby offsetting supplies from other generating sources. The Solar Farm is intended to meet the following objectives:

- Provide an investment in Nevada and Douglas County that would create jobs and other economic benefits;
- Be economically feasible and commercially financeable;
- Maximize the use of existing transmission infrastructure while minimizing the network upgrade costs borne by the utility's ratepayers.
- Minimize the cost of the generator interconnection tie-line by limiting the distance to the point of interconnection to less than 200 feet.
- Be constructed in a manner that allows electricity to be provided at a competitive price;
- Be located on land of low agricultural value, poor soil conditions and a limited history of productive agricultural activities; and
- Be located at the center of a large working ranch, in an area zoned RA-19, and therefore remote from County Master Planned areas or areas close to established EDNA Class A residences or approved future residential development, such as areas typically zoned RA-5.

### **3.0 Justification**

On September 4, 2014, the Douglas County Board of Commissioners amended the County Code (Ordinance Number 2014-1416) to allow the development of utility-scale solar projects within several zoning districts subject to a Special Use Permit and the development standards shown in Section 20.668.260, noted below.

#### ***20.668.260 Solar Photovoltaic Facility***

*A Solar Photovoltaic Facility as a principal use of land must meet the following standards.*

- A. The height of the solar photovoltaic unit may not exceed a height of 15 feet when measured from pre-development grade.*
- B. The solar photovoltaic units must be setback a minimum of 100 feet from any lots adjacent to the subject property that are zoned residential.*
- C. The facility must comply with all Federal Aviation Administration requirements as applicable.*
- D. The site may not be illuminated at night with the exception of safety lighting required by the Uniform Building Code in effect at the time of construction.*
- E. Metal surfaces that are shiny must be painted with a non-glossy, earth tone color paint to blend with the desert landscape.*
- F. Solar photovoltaic units must utilize film that is not reflective.*



- G. A fee to cover the cost of inspections associated with property maintenance must be paid at the time of building permit issuance.*
- H If the facility is not used for 180 days to generate electricity, the system must be removed and the property restored to its original condition within 120 days. In accordance with the provisions of Section 20.720 of this Chapter, a security to ensure compliance with the terms of this requirement shall be posed at the time of building permit along with photographs of the site. The security will be released upon completion of the site restoration.*
- I. This minimum acreage to establish this use is 160 acres. The acreage may be comprised of contiguous properties, but may NOT be comprised of non-contiguous properties. (Ord. 1416, 2014)*

Greenstone designed the proposed Solar Farm to conform to the newly established Solar Zoning Ordinance, as well as all applicable federal, state, and local laws, policies, and regulations. The proposed Solar Farm would conform to the specific standards found in the Douglas County Consolidated Development Code (Title 20), as required in the Douglas County Development Application, as described below:

#### **20.440 Density Bonus Agreements**

Greenstone is not seeking approval for an affordable housing or density bonus associated with the proposed Solar Farm; therefore, the required findings under Section 20.440.050 do not apply to the proposed Solar Farm.

#### **20.614 Design Review**

##### **20.614.040 Findings**

*When considering applications/or design review, the director shall evaluate the impact of the design review on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the development and make the following findings:*

- A. The proposed development is consistent with the goals and policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations.*

Policy 15.1 of the Environmental Resources and Conservation Element indicates the County's support for the development of non-polluting renewable energy sources, including solar energy. Therefore, the proposed Solar Farm can meet this finding,

- B. The proposed development is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes*



*improvements or modifications either onsite or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both.*

On September 4, 2014, the Douglas County Board of Commissioners amended the County Code (Ordinance Number 2014-1416) to allow the development of utility-scale solar projects within the RA-19 zone provided that the newly adopted standards shown in Section 20.668.260 are met.

The proposed Solar Farm conforms to the standards shown in Section 20.668.260, which were designed specifically to avoid or reduce potential adverse effects on adjacent landowners from utility scale solar development. The land on which the solar farm is to be located currently serves as an active ranch; the Park Ranch is enclosed by Highway 395 to the east, Muller Lane and the City of Minden Sanitation Department and NV Energy's existing "Muller" substation to the South and the Carson River to the West. The solar farm is to be located at the center of the ranch and is surrounded by 40-acre parcels also owned by the Landowner. The nearest residential dwelling is located some 300 feet north of the northernmost boundary of the proposed Solar Farm. The proposed Solar Farm will include a solar substation that will be located on the site immediately adjacent to the existing utility-scale "Muller" substation of NV Energy and will be shielded from public view by the Minden and Gardnerville Sanitation Department wastewater treatment ponds located at Muller Lane, and will therefore not be visible to the public. Both the NVE Energy and the wastewater treatment ponds are public utility uses and the Project conforms with and preserves the character and integrity of adjacent land uses: (i) solar farm: ranching and treated wastewater disposal fields, and (ii) solar substation: public utility services; therefore this finding can be made.

- C. *The proposed development will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*

The main access to the proposed Solar Farm will be from Muller Lane, on the basis of an existing ingress and egress easement from the Landowners. Access to the Solar Farm site, the NVE Muller substation and the wastewater facility is limited to authorized personnel only; the existing access gate to Muller Lane is normally locked. The access road already exists and is used by NV Energy to access its "Muller" substation and runs parallel to a private access road used by the Minden and Gardnerville Sanitation Department. The



proposed Solar Farm will have no full time employees and the only traffic will be for scheduled and unscheduled maintenance and scheduled panel cleaning. The proposed Solar Farm would not generate long-term pedestrian or vehicular traffic. Therefore, this finding can be made.

- D. The proposed development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.*

The proposed Solar Farm will use an existing access road to the Park Ranch and would not generate long-term pedestrian or vehicular traffic. Therefore, this finding can be made.

- E. The proposed development incorporates features to minimize adverse effects, including visual impacts, of the proposed development on adjacent properties.*

County Code Section 20.668.260 requires a 100-foot setback from any lots adjacent to the subject property that are zoned residential, compliancy with all FAA requirements, as applicable, a maximum panel height of 15 feet, and non-glossy surfaces and panels. These development standards have been adopted by the County to reduce or eliminate potential visual impacts resulting from the development of utility-scale solar facilities. There is only one (1) residential dwelling within the 1,320 feet notification distance from the northern boundary of the proposed Solar Farm.

The proposed Solar Farm is located outside the flight path for the Minden airport (MEV) and, per the output of the Online Notice Criteria Tool of the Federal Aviation Authority (FAA) is located outside the Notification range for purposes of notification of the FAA regarding construction activities planned at or near FAA-regulated airports conform CFR Title 14 Part 77.9 and Greenstone from the output of an online notification tool<sup>1</sup> made available for this purpose by the FAA, that it is not required to notify the FAA regarding the proposed Solar Farm.

In all other respects the proposed Solar Farm adheres to all of the development standards listed in Section 20.668.260 of the County Code, including the standards noted above that reduce potential visual impacts – to the extent these can be observed at 2,000 feet distance. Therefore, this finding can be made.

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<sup>1</sup> FAA: see <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp>





- F. *The project is not located within an identified archeological/cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report;*

The proposed Solar Farm is not located within an identified archeological/cultural study area. Therefore, this finding can be made.

- G. *The proposed development complies with all additional standards imposed on it by the particular provisions of this chapter, the Douglas County design criteria and improvement standards and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of chapter 20.100.*

The proposed Solar Farm conforms to the standards shown in Section 20.668.260, which were designed to specifically avoid or reduce potential adverse effects in the RA-19 Zoning district. Therefore, the proposed Solar Farm conforms with existing County plans and policies.

- H. *The proposed development will not be materially detrimental to the public health, safety, convenience and welfare, or result in material damage or prejudice to other property in the vicinity. (Ord. 763, 1996)*

Policy 15.1 of the Environmental Resources and Conservation Element indicates the County's support for the development of non-polluting renewable energy sources, including solar energy. Therefore, the proposed Solar Farm can meet this finding. County support of renewable energy generation indicates that this use would not be detrimental to public health and safety. Furthermore, the proposed Solar Farm would comply with current federal, state, and local laws that govern the safe development of such facilities. Therefore, this finding can be made.

#### **20.614.040 Minor Design Review**

The proposed Solar Farm is a "greenfield" development and therefore does not qualify for minor design review. Therefore, findings under Section 20.614.040 of the County Code are not applicable.

#### **20.614.040, 20.660.150, and 20.664.010 or 20.668.010 Minor Design Review for Accessory Dwelling Unit**

The Project is a "greenfield" development and does not contain an accessory dwelling unit. Therefore findings under Sections 20.614.040, 20.660.150, and 20.664.010 or 20.668.010 of the County Code are not applicable.

**20.400.040 Development Agreement**

- A. *The proposed development agreement conforms with the maps and policies of the master plan and any applicable specific plan.*

On September 4, 2014, the Douglas County Board of Commissioners amended the County Code (Ordinance Number 2014-1416) to allow the development of utility-scale solar projects within the RA-19 zone provided that the newly adopted standards shown in Section 20.668.260 are met. The proposed Solar Farm is therefore an allowable use in the RA-19 zoning district, subject to the issuance of a Special User Permit. The proposed Solar Farm is not located in any Master Plan or Specific Plan. Therefore, this finding can be made.

- B. *The proposed development agreement complies with the requirements of [Nevada Revised Statutes] NRS.*

NRS 278.0208 prohibits entities from unreasonably restricting [the] use of [a] system for obtaining solar energy. Therefore, the proposed Solar Farm meets the intent of the NRS to foster solar energy development within the State.

- C. *The proposed development agreement is consistent with the consolidated development code and all other applicable codes and ordinances.*

The proposed Solar Farm, as currently planned, adheres to the newly adopted standards shown in Section 20.668.260, and, therefore would be consistent with the development code pending issuance of a SUP.

- D. *The proposed development agreement will not be detrimental to or cause adverse effects to adjacent property owners, residents, or the general public and that provisions have been included to address the completion or phasing of improvements as well as provisions to address abandonment of the project.*

Policy 15.1 of the Environmental Resources and Conservation Element indicates the County's support for the development of non-polluting renewable energy sources, including solar energy. Therefore, the proposed Solar Farm can meet this finding. County support of renewable energy generation indicates that this use would not be detrimental to public health and safety. Furthermore, the project would comply with current federal, state, and local laws that govern the safe development of such facilities. Therefore, this finding can be made.

- E. *The proposed development agreement provides clear and substantial benefit to the residents of the county. (Ord 763, 1996; Ord 509, 1989)*



The project would provide a significant investment in Nevada and Douglas County that would create jobs and other economic benefits including, but not limited to ongoing tax revenues for the project life.

#### **20.604.060 Special Use Permit**

- A. *The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;*

On September 4, 2014, the Douglas County Board of Commissioners amended the County Code (Ordinance Number 2014-1416) to allow the development of utility-scale solar projects within the RA-19 zone provided that the newly adopted standards shown in Section 20.668.260 are met. The proposed Solar Farm is therefore an allowable use in the RA-19 zoning district, subject to the issuance of a Special User Permit. Therefore, this finding can be made.

- B. *The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include, but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both, to mitigate such impacts;*

On September 4, 2014, the Douglas County Board of Commissioners amended the County Code (Ordinance No. 2014-1416) to allow the development of utility-scale solar projects within the RA-19 zone provided that the newly adopted standards shown in Section 20.668.260 are met. The proposed Solar Farm is located at the center of a large ranch with only one (1) residential dwelling located within the 1,320 notification range from the Northwest of the proposed Solar Farm and conforms to the standards shown in Section 20.668.260, which were designed specifically to avoid or reduce potential adverse effects on adjacent landowners from utility scale solar development. Therefore, the proposed Solar Farm conforms with and preserves the character and integrity of adjacent development and this finding can be made.

- C. *The proposed use will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;*



The proposed Solar Farm would use a private access road, would not be not accessible to unauthorized persons, and would not generate long-term pedestrian or vehicular traffic. Therefore, this finding can be made.

- D. The proposed project use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets;*

The proposed Solar Farm would not generate long long-term pedestrian or vehicular traffic. Therefore, this finding can be made.

- E. The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties;*

County Code Section 20.668.260 requires a 100-foot setback from any lots adjacent to the subject property that are zoned residential, a maximum panel height of 15 feet, and non-glossy surfaces and panels. These development standards have been adopted by the County to reduce or eliminate potential visual impacts resulting from the development of utility-scale solar facilities. The proposed Solar Farm is located at the center of a large ranch with only one (1) residential dwelling located within the 1,320 feet notification range from the Northwest of the proposed Solar Farm, and adheres to all of the development standards listed in Section 20.668.260 of the County Code, including the standards noted above that reduce potential visual impacts. Therefore, this finding can be made.

- F. The project is not located within an identified archeological or cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report;*

The proposed Solar Farm is not located within an identified archeological/cultural study area. Therefore, this finding can be made.

- G. The proposed special use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed special use and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of this title.*

On September 4, 2014, the Douglas County Board of Commissioners amended the County Code (Ordinance No. 2014-1416) to allow the development of



utility-scale solar projects within the RA-19 zone provided that the newly adopted standards shown in Section 20.668.260 are met. The proposed Solar Farm conforms to the standards shown in Section 20.668.260. Therefore, this finding can be made.

*H The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity. (Ord 1319,2010; Ord 801,1997; Ord 763,1996; Ord 295, 1978; Ord 167, 1968)*

Policy 15.1 of the Environmental Resources and Conservation Element indicates the County's support for the development of non-polluting renewable energy sources, including solar energy. Therefore, the proposed Solar Farm can meet this finding. County support of renewable energy generation indicates that this use would not be detrimental to public health and safety. Furthermore, the proposed Solar Farm would comply will current federal, state, and local laws that govern the safe development of such facilities. Therefore, this finding can be made.

#### **4.0 Project Components**

The proposed Solar Farm would consist of access and service roads, solar panels, a tracking system, direct current (DC) to alternating current (AC) power inverters, medium voltage transformers, a medium voltage collection system, a project substation, and an interconnection switching station, as illustrated on Figure 2.

In addition, subject to, amongst others, the provision of additional information to the County, Greenstone may also construct a battery energy storage system as part of the proposed Solar Farm to aid in shaping and controlling the timing of energy production for the electrical grid. The proposed Solar Farm would have an operational lifespan or approximately 30 years.

##### **Solar Panels**

Solar photovoltaic (PV) panels are typically constructed of glass encasing: crystalline silicon, poly crystalline silicon, or amorphous silicon with small quantities of Copper-Indium-Gallium-Selenide, Cadmium-Telluride, or other metal and non-metal materials interposed within the silicon matrix. A plastic binding material and frame provides structural rigidity, similar to modem flat-screen televisions.

The panels would be dark blue or black in color to capture the highest amount of solar energy while minimizing light reflection (or energy loss). When mounted on a tracking system, the high side of a typical 6- by 3-foot panel can extend between 8 and 15 feet above ground level. The PV panels would be self-contained, durably constructed units designed to withstand exposure to the elements for period of 30

years or greater. The solar panels deployed for use in the proposed Solar Farm would be certified to comply with all industry standard quality testing. Panels would be electrically connected to the grounding system of the plant in accordance with local and state codes and regulations. The final panel selection would be determined at the detailed project-engineering phase.

### **Tracking System**

To support the PV panels, the proposed Solar Farm would utilize a single-axis tracking system designed to optimize power production of the panels by ensuring proper orientation to the sun throughout the day and seasons. Figure 3 shows a typical installation of a single-axis tracking system. The single-axis tracking systems are supported by metal piers driven into the ground by a pile-driving machine. These machines are similar to those found on highway construction jobs driving guard rail piers. Pier placement begins with a precise surveyed layout, ensuring proper positioning of remaining tracker assembly parts. Affixed to the top of each pier is a pier cap and bearing assembly that supports and allows proper movement of the torque tube assembly. The torque tube assembly serves two purposes: to provide an attachment point for the panels, and to move through the range of positions needed to optimize panel production.

**Figure 3 – Typical Installation of a single-axis tracking system**



Tracker design varies by manufacturer, but generally consists of a series of tracker panel rows with a drivetrain located in the center of the system, dividing the tracker into two sides. The tracker system is governed by a controller, which keeps the panels' orientation perpendicular to the sun's rays by engaging and disengaging the motor. The controller accounts for daily and seasonal changes in the sun's position.



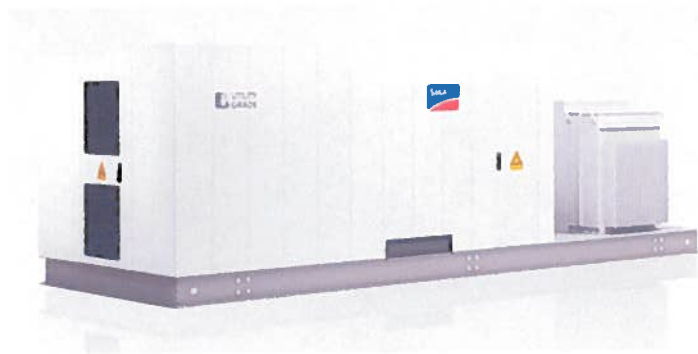
The controller also is used to position the tracker during off-production periods, such as the nightly stow period and for maintenance. In the event of a serious weather event, the system would move the tracker to the safest position to avoid damage.

Tracker layout is also determined by the need to access the interior rows of the trackers by maintenance and emergency personnel. The proposed Solar Farm's trackers would typically be separated by 6 to 9 feet to accommodate maintenance personnel traveling in trucks or other maintenance vehicles. Typical design specifies that the row length would be no longer than 300 feet on each side of the drive arm assembly. This design would accommodate fire equipment access and a typical fire hose length of 300 feet.

### **Power Conditioning Station ("PCS")**

Multiple tracker systems are deployed within proximity to the power conditioning station (PCS) where the DC electricity produced by the PV panels is converted to AC for movement to the project substation and eventual delivery to the electrical grid. A PCS consists of inverters, a medium voltage transformer, and the auxiliary power system for the trackers. These components are often mounted on a metal platform, referred to as a skid, with or without an enclosure ([Figure 4](#)).

**Figure 4 – Typical PSC skid**



The PCS skids provide another point of power routing back to the control boxes and motors that run the tracking system. This source of auxiliary power is critical to the primary operation of the tracker systems and can be fed to the system even when solar irradiance is inadequate to generate power from the solar panels.

## Substation

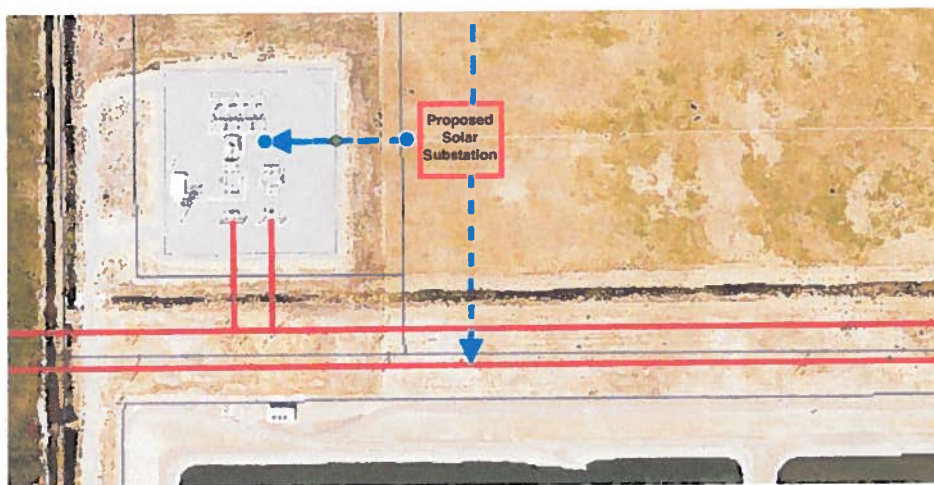
The proposed Solar Farm substation is the portion of the system where power is transformed to match the specification of the interconnection into the electrical grid. The proposed Solar Farm substation is characterized as having a low side and a high side, as defined by the point of power transformation from 34.5 kilovolts (kV) (low side) stepped up in voltage to match the grid specifications in the transmission system (high side). In the case of the proposed Solar Farm, the power would be stepped up to either 60kV, 120 kV or both at the proposed Solar Farm substation.

Additionally, the proposed Solar Farm operations would include a single 20- or 40-foot container to serve as the Operations and Maintenance "building" on site. The containers would be climate controlled and include office space; Supervisory Control and Data Acquisition (SCADA) monitoring software; a "Greenbox" that holds the servers and SCADA computers for the site (the fiber loops from the inverter network would tie in here); a safety board with required safety info posted; and any safety equipment needed for visitors on site.

## Project Transmission Line

The proposed Solar Farm would include an electrical transmission line ("gen-tie line") to connect the Project to generation facilities-in this instance, the Muller Substation, owned and operated by NV Energy ([Figure 5](#)).

**Figure 5 – NVE Muller Substation, Minden; proposed gen-tie location**



The gen-tie line would be composed of a span of three conductors between the proposed Solar Farm's substation dead-end structures and the adjacent switching station dead-end structures. The line would be **less than 200 feet** in length, and run



adjacent to existing utility lines to minimize visual impacts, if any. The Muller substation and the location of the proposed gen-tie line would not be visible by the public and would be obscured by the Minden Sanitation water treatment ponds, and also be invisible from Highway 395, and be entirely located on private property.

### **Power Back Feed Requirements**

The proposed Solar Farm would require power to operate during periods when solar irradiance is too low for energy production from the solar panels. This would occur at night (including early morning and evenings), during maintenance periods, and during occasional plant outages related to low side failures. Back feed is accomplished directly through the high voltage system from the point of interconnection. All breakers and transformers work in the opposite direction, allowing the appropriate power levels to be fed into the system. Back feed power is controlled at the inverters so that solar field components are not damaged beyond the PCS skid.

### **Communications and Metering Supervisory Control and Data Acquisition**

A SCADA system would be installed to provide plant visibility and control of the solar field and all components of the electrical system, allowing plant operators to remotely monitor the site. Physically, the system would be installed with a series of fiber communication lines running within the same trenches as the collection system. This fiber system would connect points (item to be monitored) of the electrical system to the control room of the substation, where it would be terminated at servers of the operating system. Fiber is also run from all the high voltage components that require monitoring, such as the breakers within the substation. This SCADA system is used to remotely operate breakers within the substation, and is integral to the safe operation of the substation.

### **Energy Storage**

A Battery Energy Storage System may, at a future date, be constructed within the solar facility to provide dispatchable energy under various operating conditions. The ability to store energy would improve the proposed Solar Farm's operability and enhance the integration of as-available solar-generated energy resources into the transmission network by offering additional ramp rate control and more consistent energy flows. Greenstone hereby undertakes to provide the County with advance notice of Energy Storage components and systems should such a Battery Energy Storage System be deemed expedient and financially viable, and agrees to meet all additional applicable County requirements pertaining thereto.



## **Site Security**

The utility, Greenstone, or an affiliated company would remotely monitor the proposed Solar Farm. Site security would consist either of the existing barbed-wire fence or an 8-foot-high chain-link fence with three-strand barbed wire installed around the perimeter of solar panel arrays. Manual swing gates would be constructed at the main entrance and in strategic areas, as required for access by personnel for the proposed Solar Farm.

## **5.0 Construction**

### **Site Preparation and Grading Activities**

#### **Site Disturbance and Grading**

Greenstone would minimize all grading activities associated with the Project; however, solar panel design does dictate a maximum of 15 percent slopes for all aspects. Earthwork would focus on cut and engineered fill as necessary to create finished grade slopes suitable for panel installation. Graded areas would be cleared and grubbed with vegetative material stockpiled on site and distributed back onto disturbed surfaces once grading is complete.

The existing site at Park Ranch is almost entirely level, and Greenstone anticipates that, to the extent required at all, a balanced cut and fill ratio would be maintained. Additionally, site grading would maintain current drainage and settling of storm water runoff, which generally flows from east to northwest across the site. Final engineering of the site would be used to determine if additional infrastructure will be needed to control and dissipate storm water runoff, in addition to the existing irrigation channels that surround the proposed Solar Farm.

#### **Grading and Compaction**

The maximum footprint of the proposed Solar Farm would be approximately 260 acres, including staging areas and access roads. The final footprint for the transmission gen-tie line will be determined during final engineering but is will most likely be located immediately adjacent to the existing NVE Muller substation. Soil compaction, soil strengthening agents, or geotextile fabric may be used for access and circulation roads. Compaction may also be required for the construction of inverter pads, the switching station, control rooms, and roads. Road construction would require soil conditioning to achieve proper compaction. Roads and other work areas would be periodically sprayed with water to reduce dust. Roads and work areas may also be treated with approved dust-suppression products.



## **Equipment Installation**

Typical construction activities would include the installation of civil infrastructure (e.g. roads, utilities, fencing, etc.), mechanical infrastructure (e.g., tracking components, PV panels, etc.), and electrical infrastructure, as listed below:

### **Civil Infrastructure**

- Survey and project layout, including road, panel, switching station, and support buildings;
- Road construction, including placement of aggregate;
- Temporary facilities, parking, and staging areas;
- Installation of the chain-link fence and gates;
- Watering for dust control and soil compaction; and
- Switching station, skid/inverter, and control room pads.
- Mechanical & Electrical Infrastructure
- Installation of foundations placement of a racking system;
- Placement of PV solar modules and DC collection system;
- Installation of a wire harness, fuses, and wire grounding;
- Trenching for buried wires;
- Installation of buried wiring;
- Inverter/transformer structures;
- Wiring and interconnection;
- AC collection system;
- Construction of the project substation;
- Construction of the project switching station;
- Construction of the interconnection to the transmission/distribution system;
- Telecommunications installation;
- Installation of meteorological equipment;
- Operations and Maintenance container; and
- Battery energy storage system, as applicable

### **Construction Phase Site Access**

Access to the site of the proposed Solar Farm for construction personnel and construction deliveries would be obtained via Muller Lane, which intersects with Highway 395, a divided four lane, fully surfaced regional transportation route. The access and interior roads would be surfaced with aggregate, be dust free, and be maintained to facilitate on-site circulation for emergency vehicles during all weather conditions. The internal road network and Project site access are illustrated on Figure 2.

[Figure 2 – Site Plan] – see attached





## **Construction Deliveries**

All materials for construction would be delivered by truck. All truck traffic would be confined to designated truck routes and major streets. Deliveries may be made from the north and south via Highway 395, exiting to Muller Lane, and turning north onto the entrance to Park Ranch. Traffic related to construction activities would be temporary and would occur along area roadways as workers and materials are transported to and from the proposed Solar Farm site. Components for the proposed Solar Farm (such as PV solar panels, support structures, and electrical interconnection equipment), with the exception of pre-assembled components, would be brought to the proposed Solar Farm site and be assembled on-site.

## **Construction Phase Utilities and Service Systems**

The proposed Solar Farm's construction phase utility and services system requirements are described below.

### **Electricity**

The temporary office and construction facilities would obtain electricity for construction from a temporary drop off line from the local electrical distribution system, most likely at the NVE Muller substation. There would be need for electricity distributed across the proposed Solar Farm site and until back feed access is made from the inverters. Portable electrical generators that meet local and state emission controls may be used throughout the proposed Solar Farm area during construction and operation.

### **Waste disposal**

Portable restroom facilities would be located across the proposed Solar Farm site where work is occurring in quantities that meet all labor code requirements. These facilities would be regularly cleaned and maintained to health and safety codes. A contract would be executed with the local waste hauling company to ensure removal of all landfill material from the site. Efforts would be made to reduce landfill waste by developing an effective waste recycling program. Waste containers would be spread over work areas, making it easy for workers to utilize them. Workers would make regular sweeps to ensure the worksite is clean and safe.

### **Water**

It is anticipated that between 25 and 40 acre-feet would be used during the construction phase for soil conditioning, dust control, and other uses dependent on soil conditions. Greenstone intends to contract with third-party water suppliers for this purpose. Greenstone has agreed with the Landowners not to impact any of the



ditches and irrigation canals that are located along most of the boundary of the proposed Solar Farm site and that are in active use in support of ongoing ranching operations.

### **Schedule and Workforce Requirements**

Construction and testing of the proposed Solar Farm would take about nine (9) months to complete. The Project elements would be completed either in phases or concurrently. Crews typically work four 10-hour days per week. Weekends, evening, and night work may also be required due to the scheduling of system outages and construction schedules. The peak construction workforce is anticipated to range between 100 to 200 workers, depending on scheduling constraints and size of the proposed Solar Farm.

## **6.0 Operation and Maintenance**

### **Operational Time Limits**

Once in operation, the proposed Solar Farm would generate electricity during daylight hours. Typically, the plant would produce energy from 6:00 a.m. until 6:00 p.m. Special activities at the proposed Solar Farm site would include periodic panel maintenance during normal business hours.

### **Personnel**

The proposed Solar Farm would be a private facility and, for safety reasons, would not be open to the public. Only authorized personnel would be permitted on site and would generally be limited to the employees monitoring and maintaining the facility.

Upon completion of construction, the Project may employ up to two (2) full-time employees to clean, service and maintain the arrays. During scheduled maintenance and emergency repairs, the proposed Solar Farm would require additional crews of two or more technicians, as needed.

### **Facility Maintenance**

Facility maintenance would include the periodic cleaning and maintenance of solar panels and solar components, as well as the internal road network. The level of vehicle activity entering and leaving the site during operation would be limited to scheduled and emergency maintenance visits and infrequent delivery vehicles. Scheduled solar park maintenance would occur in the early evening or early morning hours to avoid interference with the Project's peak hours of generation. Unscheduled emergency maintenance would occur at any time; however, daylight maintenance and emergency service would be strongly encouraged to maximize worker safety.



## **7.0 Decommissioning and Site Reclamation Plan**

### **Removal of Equipment**

A decommissioning plan would be prepared in accordance with Douglas County requirements. The plan would ensure that the proposed Solar Farm facilities would be decommissioned and removed and that the site would be restored to pre-construction conditions. Soils and impacted areas would be reclaimed to a level that would, at a minimum, support uses for the land consistent with pre-construction activities.

While all proposed Solar Farm structures would be removed during decommissioning, it may be advantageous to leave some improvements to enhance future execution of the historical uses of the land. The final permitted decommissioning plan would explain how some roads and other features may be left in place to accommodate more efficient farming practices. The decommissioning and restoration process would likely involve the removal of aboveground structures, restoration of topsoil, re-vegetation, and seeding. Temporary erosion and sedimentation control best management practices would be used during the decommissioning phase of the Project.

Equipment that would be removed includes modules, electrical wiring, equipment on the inverter pads, the battery storage system, and the interconnection transformer pad and associated equipment. Equipment would be de-energized prior to removal, salvaged (where possible), placed in appropriate shipping containers, and secured in a truck transport trailer for shipment off site. All other aboveground site infrastructure, including fences and the concrete pads that supported the inverters, transformers, and related equipment, would be removed. The fences and gates would be removed, and all materials would be recycled to the greatest extent possible. All debris would be removed from the area.

### **Site Reclamation**

All roads and other areas compacted during original construction or by equipment used in the decommissioning process would be tilled to restore the sub-grade material to a density and depth consistent with adjacent properties. An appropriate seed mixture would be broadcast or drilled across the Project site.

## **8.0 O&M Noise Assessment**

The Park Ranch Solar project will not operate during non-daylight hours. Peak noise emissions occur during hours when sunlight is strongest.



The noise source from a solar farm using a tracking technology originates both from the inverter skids and particularly from the tracker mechanism.

The skid for the proposed Solar Farm will contain one or more kVa transformer and several inverters. Noise emissions from the transformer is obtained from NEMA TRI - 1993(R2000) and IEEE C57.12.90-2010 (See Exhibit 6.0), and based on that information is assumed to be 40 dBA at 10 meters. Noise emissions from inverters were obtained from a manufacturer and are each assumed to be 60 dBA at 10 meters. The sum of two sources at 60 dBA and one source at 40 dBA is a combined sound pressure level (SPL) of 63 dBA at 10 meters. The noise emissions from the tracking mechanism are 63 dBA at three feet.

Chapter 8.04 of the Douglas County Code Title 8 requires that noise generated from an EDNA Class C property to an EDNA Class A property should not exceed a maximum permissible noise level of 60 dBA at the property boundary of the receiving property or anywhere within.

The nearest EDNA Class A located in the vicinity of the proposed Solar Farm is a single ranch homestead located on the south side of Genoa Lane, at a distance of 300 feet from the northernmost boundary of the proposed Solar Farm. There are no other residential lots in the vicinity of the proposed Solar Farm. Therefore, at the aforementioned distance from the proposed Solar Farm the sound emissions from the solar farm from the tracking mechanism will not exceed 60 dBA limit set in the Douglas County Nevada Code. The aforementioned ranch homestead would also be approximately 4,700 feet from the solar substation, and its adjacent NVE Muller substation and the sound emissions from the proposed inverters will no longer be audible at that distance.

The eastern boundary of the proposed Solar Farm will be separated from Highway 395 by a buffer of 40-acre vacant ranch parcels owned by the Land owner, Highway 395, and additional farming and ranching properties on the Eastern side of Highway 395 without any residential properties located thereon; in addition, Highway 395 will itself generate noise emissions on a 24/7 basis; therefore there no noise emissions will impact any EDNA Class A properties. The southern boundary of the proposed Solar Farm is separated from Muller Lane by the NVE Substation and the Minden and Gardnerville Sanitation Department treatment ponds, which are elevated; therefore no noise emissions from the proposed Solar Farm will be able to reach Muller Lane, let alone the residential community located south of Muller Lane, at a distance of close to 4,000 feet from the proposed Solar Farm.

Respectfully Submitted

**GREENSTONE RENEWABLES LLC**  
February 3, 2015

T13N R20E S19



### Legend

- Existing Substation
- Existing 120 kV Transmission Line
- Gen-Tie
- Proposed Minden Sunrise Solar Site
- Parcel Boundary Lines
- Access Roads – 20' min width and 50,000 lb capacity wet/dry rating

Applicant Name: Derek Fromm

Address: 6263 N. Scottsdale Rd, # 290

Scottsdale, AZ 85250

Telephone: (480) 664-1004

Owner's Representative: Jon Park

Address: 1300 Buckeye Rd, Ste A

Minden, NV89423

Telephone : (775) -782-1244

Approximate Site Address:

760 Muller Parkway,

Minden, NV

Legal Land Description

Mount Diablo Base meridian

Township13N, Range20E

Section19

APNs:

1319-24-000-008

1319-24-000-009

1319-24-000-011

1319-13-000-008

1319-13-000-009

1319-13-000-010

1319-13-000-011

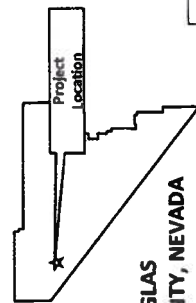
Site Plan

**MINDEN SUNRISE SOLAR**

**Greenstone Renewables LLC**

Scale: 1: 12600

Date: 4.7.15 Author: djf








**DOUGLAS  
COUNTY, NEVADA**



T13N R20E S19



## Legend

-  Existing Substation
-  Existing 120 kV Transmission Line
-  Gen-Tie
-  Proposed Park Solar Ranch Site
-  Parcel Boundary

**Applicant Name:** Derek Fromm

**Address:** 6263 N. Scottsdale Rd, # 290

Scottsdale, AZ 85250

**Telephone:** (480) 664-1004

**Owner's Representative:** Jon Park

**Address:** 1300 Buckeye Rd, Ste A

Minden, NV89423

**Telephone :** (775) -782-1244

## Approximate Site Address:

760 Muller Lane,

Minden, NV

## Legal Land Description

Mount Diablo Base meridian

Township13N, Range20E

Section19

## APNs:

1319-24-000-008

1319-24-000-009

1319-24-000-011

1319-13-000-008

1319-13-000-009

1319-13-000-010

1319-13-000-011

## Figure 2 – Site Plan

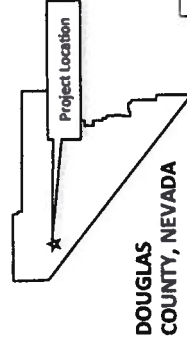
**PARK RANCH SOLAR**

**Greenstone Renewables LLC**

**Scale: 1: 12600**

**Date: 2.1.16**

**Author: djf**





From US 395 looking West  
Vertical Height of 15' at a 2,500' distance





From US 395 Looking South of West – **Zoomed In**  
Effluent Ponds and Utility Substation in Background  
Maximum Vertical Height of 15'



From US 395 Looking North of West – **Zoomed In**  
Showing North end of array and Walker home  
Maximum Vertical Height of 15'

## View of Mountains is Not Obscured by Solar Array



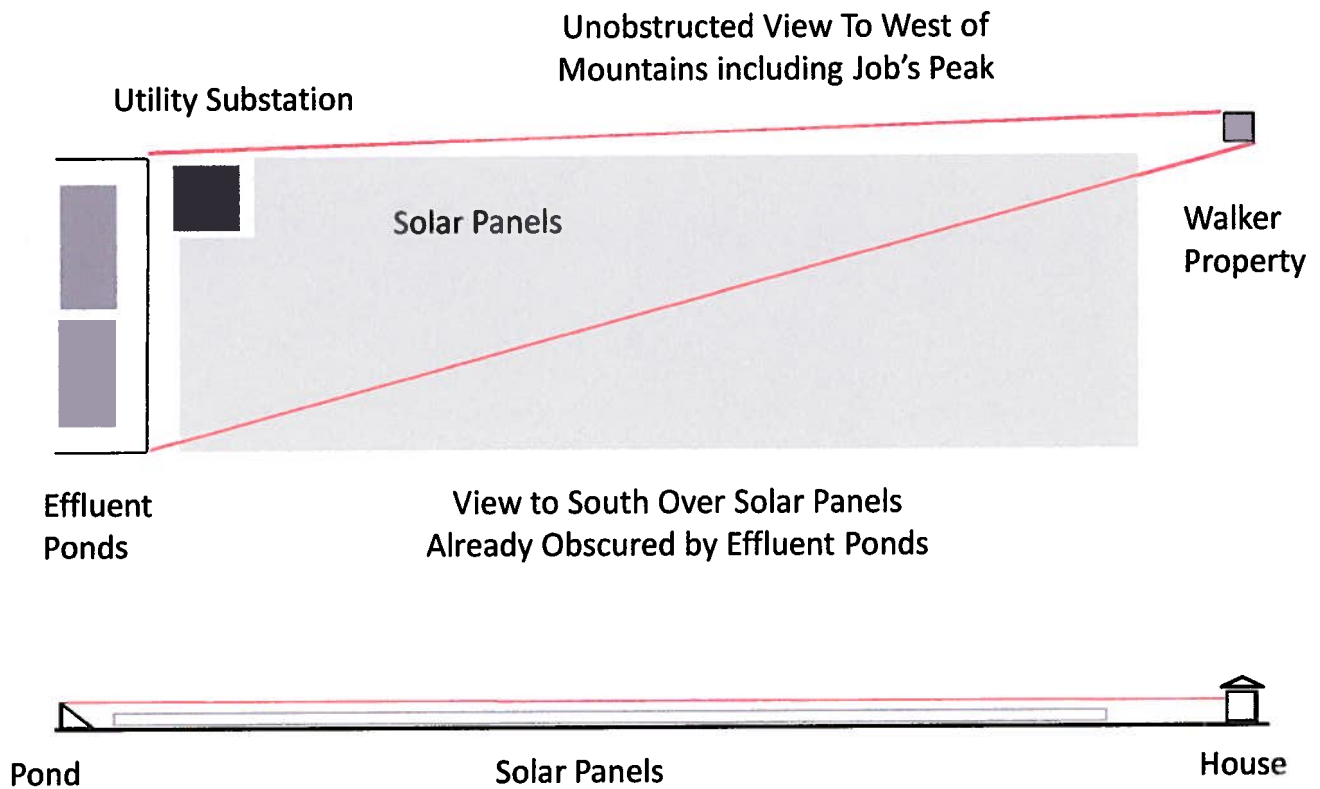
View to South along Western edge of array  
Ground Level Taken at SE Corner of Walker Property  
Typical Afternoon Array Tilt Height at ~8'





**View to South Zoomed In**  
Typical Array Tilt Height 8' Maximum

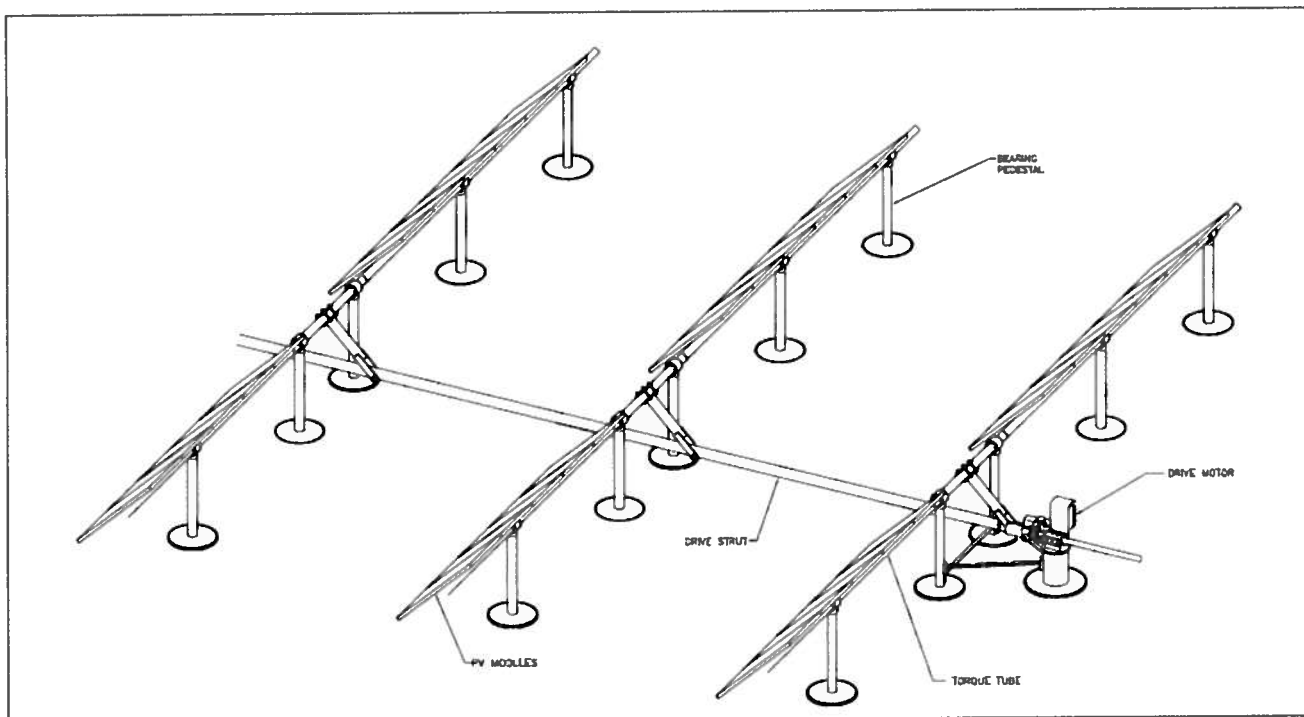




View Over Solar Panels Already Obscured by Effluent Pond  
Both the Effluent Pond and the Second Story Windows are Higher than the Solar Array

# PC ATTACHMENT 6

## Development Application, Douglas County, Nevada



Contact:  
**Greenstone Renewables LLC**  
6263 N. Scottsdale Rd., Suite 290  
Scottsdale, AZ 85250  
T: 480.664.1004

Minden Sunrise Solar Farm . 20150219.01

**Figure 2.1**  
Tracker Unit Schematic Diagram



Development Application, Douglas County, Nevada

Sample rear view of McHenry Solar Farm, Modesto, CA (Single-Axis Tracker)



Contact:  
**Greenstone Renewables LLC**  
6263 N. Scottsdale Rd., Suite 290  
Scottsdale, AZ 85250  
T: 480.664.1004

Minden Sunrise Solar Farm . 20150219.01

**Figure 2.1**  
Tracker Unit Schematic Diagram



# SUNPOWER

## Product Specifications, Oasis C1v2.0

### 1: Overview

The SunPower Oasis C1 Power Block consists of standardized photovoltaic generation equipment used to construct power plants. Each Oasis C1 Power Block includes SunPower PV panels, tracking systems, DC cabling and an inverter station including a medium voltage step-up transformer. Oasis Power Blocks are available in 1.5 or 1.0 MWac sizes. Multiple Oasis Power Blocks are aggregated to suit the needs of any project via a medium voltage collection system.

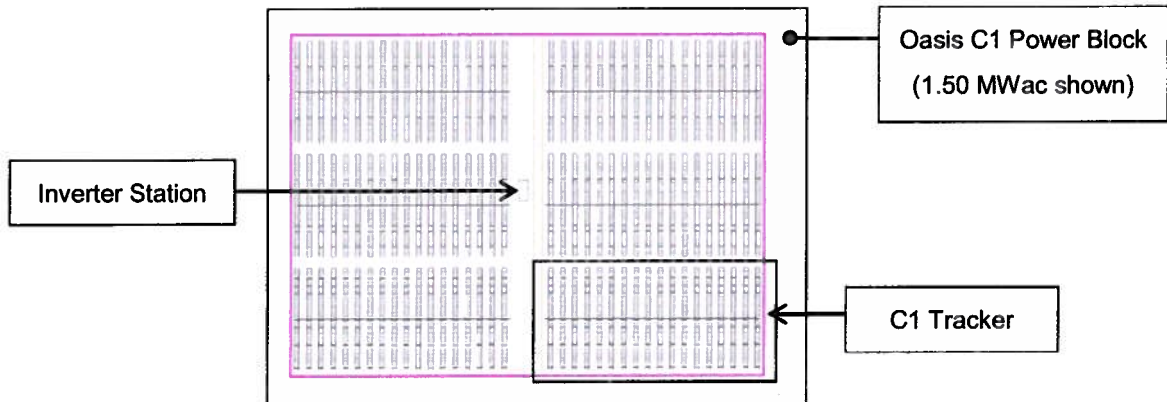
### 2: Typical Power Block Configuration

A typical Oasis Power Block is configured as follows. Alternate DC/AC ratios may be configured to suit project specific needs.

	Oasis C1 1.50MWac Block	Oasis C1 1.00MWac Block
DC Power Source	C1 tracker systems (6 total)	C1 tracker systems (4 total)
PV Panel Rating	435 W	435 W
Qty Panels	4,320 total	2,880 total
Qty Strings	432 total	288 total
Qty Combiner Boxes	18 total	12 total
Total DC Capacity	1.88 MWdc	1.25 MWdc
Inverter Station Nominal Rating	1.5 MWac at inverter terminals	1.0 MWac at inverter terminals
DC/AC Ratio	1.25	1.25

### 3: Typical Power Block Layout

A typical 1.50MWac Oasis Power Block layout is shown below. Alternate layouts are available, with changes to DC feeder lengths and trenching plans.



# SUNPOWER

## Product Specifications, Oasis C1v2.0

### 4: Allowable Site Conditions

The following are the allowable site conditions for the Oasis Power Block:

Maximum Seismic Load	Ss=1.9, S1=0.60g
Maximum Ground Slope	6 degrees in any direction
Flood Clearance	12" (30cm) with standard equipment foundations. Additional flood clearance available with custom foundations
Maximum Corrosion Conditions	Class C3 per ISO 9223:2012
Operating Temperature Range	-4°F to 122°F (-20°C to 50°C) ambient
Humidity Range	15% to 95%, non-condensing
Maximum Elevation	6,560' (2,000 meters) above sea-level without inverter de-rating
Max Wind Speed	Per tables below (50yr MRI, 3-sec gust)
Max Snow Load	Per tables below (ground load)

	Allowable for any site
	Allowable using 0.85 directionality factor
	Allowable using snow stowing
	Not allowable

		ASCE 7-2005, 0.35 & 0.40 GCR Trackers					
		Max wind speed, mph					
		85	90	95	100	105	110
Max snow load, psf	0						
	10						
	20						
	30						

		ASCE 7-2005, 0.45 – 0.60 GCR Trackers					
		Max wind speed, mph					
		85	90	95	100	105	110
Max snow load, psf	0						
	10						
	20						
	30						

# SUNPOWER

## Product Specifications, Oasis C1v2.0

		ASCE 7-2010, 0.35 & 0.40 GCR Trackers					
		Max wind speed, mph					
		100	106	112	118	124	130
Max snow load, psf	0						
	10						
	20						
	30						

		ASCE 7-2010, 0.45 – 0.60 GCR Trackers					
		Max wind speed, mph					
		100	106	112	118	124	130
Max snow load, psf	0						
	10						
	20						
	30						

### 5: PV Panels

The PV panels used in the Oasis Power Block have the following specifications:

Type	SunPower 435 watt, 128-cell utility panel
Rated String Voltage	1000V DC maximum
Panels per String	10
Listing	NRTL listed to UL 1703 or IEC 61730



# SUNPOWER

## Product Specifications, Oasis C1v2.0

### 6: C1 Tracker System

Each Oasis C1 tracker system is designed with the following specifications:

Tracking Type	Horizontal single-axis, astronomical algorithm with backtracking
Tracking Range	+45 to -45 degrees
Drive Unit	Single electric linear actuator per tracker
Tracker Control System	SunPower TMAC advanced tracker controller
Drive Unit Power Supply	480V, 3-phase AC, supplied by Inverter Station
Ground Coverage Ratio (GCR)	Available at 0.35, 0.40, 0.45 or 0.60
Tracker Structural Components	Galvanized steel
Tracker Bearings	Maintenance free polymer journal bearings
Tracker Foundations	Galvanized steel piles
DC wire management	Hardware for supporting combiner box wiring harnesses and routing DC feeders through tracker system included
PV Panel Type	SunPower 435 Watt, 128-cell utility panel
Combiner Boxes per Tracker	Trackers available with 3 or 2 combiner boxes
Total Tracker DC Rating	313.2kWp or 208.8kWp per qty of combiner boxes
Load Calculation Basis	Product specific wind tunnel study, per ASCE
Design Standards	AISC, ASCE, ASTM, ANSI, NEC, EN, UL, IEC
Listing	NRTL listed to UL 2703 & 3703
Wind Stowing	Stowing (flat panel position) required for wind events over 40 mph. Forecast-based automated stowing and stowing available via operator command
Snow Stowing	For snow zones, stowing (flat panel position) required during periods of snow accumulation

# SUNPOWER

## Product Specifications, Oasis C1v2.0

### 7: Combiner Boxes & Wiring Harness

Each Oasis C1 tracker system includes combiner boxes and PV wiring harnesses with the following specifications:

Enclosure	Polyester/fiberglass, with UV protection. NEMA 4X / IP56
Rated Voltage	1000V DC maximum
Number of Strings	24
Fuses	12-amp rating, IP20 grade finger-safe fuse holders
Wiring Harness	Pre-manufactured for connection with Oasis tracker system, UV resistant, 6 conductor jacketed cable
Wiring Harness Connectors	Locking solar rated connectors
Safety	Tool entry enclosure Finger-safe transparent protective shields Load-break DC disconnect with door interlock RoHS compliant
DC Feeder Terminations	Compression lug style, aluminum conductor compatible, 350Kcmil to 600Kcmil (185mm <sup>2</sup> – 300mm <sup>2</sup> )
Listing	NRTL listed to UL 1741 & 9703 or IEC 62109-1 & 62093

# SUNPOWER

## Product Specifications, Oasis C1v2.0

### 8: Inverter Station

Each Oasis Power Block includes a 1.50 MWac or 1.00 MWac inverter station with the following specifications:

Inverter Nominal Power Rating (at inverter terminals)	1.5 MWac @ p.f.=1.0, 104°F (40°C) ambient 1.0 MWac @ p.f.=1.0, 104°F (40°C) ambient
PV Array Grounding	Positively grounded
Power Factor Range	0.9 leading to 0.9 lagging
Maximum DC Voltage	1000 V
Max Inverter THD	<3%
Weighted Inverter Efficiency	≥98.0%
Inverter Enclosure	NEMA 3R / IP54
Utility Compliance	Voltage & frequency ride-through per IEEE, FERC, WECC and BDEW standards. Power factor control, power curtailment and other grid support functions available with SunPower plant controller
Grid Frequency	60Hz or 50Hz
Transformer AC Output Voltage	Configurable from 4kV to 34.5kV
Transformer Efficiency	99%, operating load weighted
Communications Interface	Includes standard network interface for access to inverter and TMAC tracker controller parameters
Tracker Drive Unit Power	Includes power supply for TMAC tracker controllers
Inverter Listing	NRTL listed to UL 1741 or IEC 62109
Electrical Safety	Includes DC and AC fault protection
Qualified Suppliers	SMA, ABB

# SUNPOWER

## Product Specifications, Oasis C1v2.0

### 9: Configurations

The Oasis Power Block may be configured in multiple ways. The overall Power Block is available in 1.00MWac and 1.50MWac ratings, with a variety of DC/AC ratio combinations available for each. In addition, the C1 tracker system may be independently configured based on the needs of the particular project.

#### Available Tracker Configurations

Item	C1v2.0 Tracker						
	GCR	Size	Cable Tray	DC Feeder Support	Surge Arrestors	Structural Fasteners	Combiner & Harness Certification
Available Options	0.35	18 rows (3 combiners)	Standard	350 – 500 kCmil	None	ASTM	UL only
	0.40	12 rows (2 combiners)	Wide	500 – 600 kCmil	Included	EN	IEC + UL
	0.45						
	0.60						

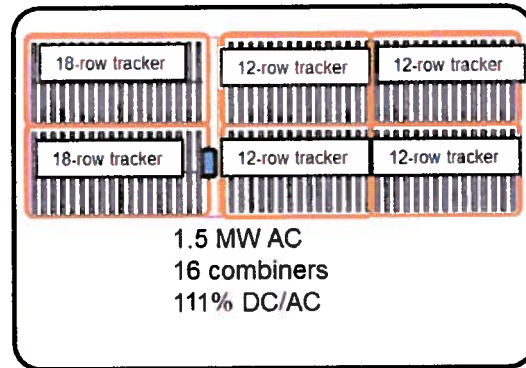
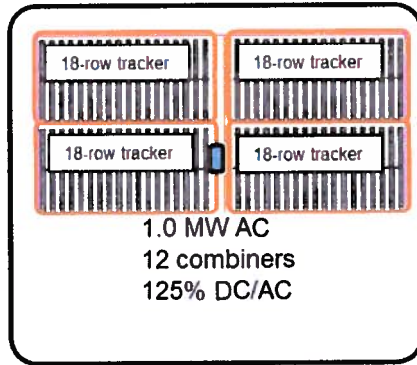
#### Available Power Block Configurations

		Inverter Station Rating			
		1.00 MW AC		1.50 MW AC	
		MWp	DC/AC	MWp	DC/AC
Combiners per inverter station	10	1.04	104%		
	11	1.15	115%		
	12	1.25	125%		
	13				
	14				
	15	1.57	104%		
	16	1.67	111%		
	17	1.77	118%		
	18	1.88	125%		

# SUNPOWER

## Product Specifications, Oasis C1v2.0

### Example Power Block Configurations



**NEMA Standards Publication No. TR 1-1993 (R2000)**

*Transformers, Regulators and Reactors*

*Published by:*

**National Electrical Manufacturers Association**  
1300 North 17th Street, Suite 1847  
Rosslyn, VA 22209

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## FOREWORD

The standards appearing in this publication have been developed by the Transformer Section and have been approved for publication by the National Electrical Manufacturers Association. They are used by the electrical industry to promote production economies and to assist users in the proper selection of transformers.

The Transformer Section is working actively with the American National Standards Committee, C57, on Transformers, Regulators and Reactors, in the development, correlation and maintenance of national standards for transformers. This Committee operates under the procedures of the American National Standards Institute (ANSI).

It is the policy of the NEMA Transformer Section to remove material from the NEMA Standards Publication as it is adopted and published in the American National Standard C57 series. The NEMA Standards Publication for Transformers, Regulators and Reactors references these and other American National Standards applying to transformers, and is intended to supplement, without duplication, the American National Standards.

The NEMA Standards Publication for Transformers, Regulators and Reactors contains provision for the following:

- a. American National Standards adopted by reference and applicable exceptions approved by NEMA, if any.
- b. NEMA Official Standards Proposals. These are official drafts of proposed standards developed within NEMA or in cooperation with other interested organizations, for consideration by ANSI. They have a maximum life of five years, during which time they may be approved as American National Standards or adopted as NEMA Standards, or rescinded.
- c. Manufacturing Standards. These are NEMA Standards which are primarily of interest to the manufacturers of transformers and which are not yet included in an American National Standard.
- d. Standards Which Are Controversial. These are NEMA Standards, on which there is a difference of opinion within Committee C57. The NEMA version will be included in the NEMA Standards Publication until such time as the differences between ANSI and NEMA are resolved.

NEMA Standards Publications are subject to periodic review and take into consideration user input. They are being revised constantly to meet changing economic conditions and technical progress. Users should secure latest editions. Proposed or recommended revisions should be submitted to:

Vice President, Engineering Department  
National Electrical Manufacturers Association  
2101 L Street, N.W.  
Washington, D.C. 20037-1526

## SCOPE

This publication provides a list of all ANSI C57 Standards that have been approved by NEMA. In addition it includes certain NEMA Standard test methods, test codes, properties, etc., of liquid-immersed transformers, regulators, and reactors that are not American National Standards.

## PART 0 GENERAL

The following American National Standards have been approved as NEMA Standards and should be inserted in this Part 0:

ANSI/IEEE C57.12.00-1988	<i>General Requirements for Liquid-Immersed Distribution, Power and Regulating Transformers</i>
ANSI/IEEE C57.12.01-1989	<i>General Requirements for Dry Type Power and Distribution Transformers</i>
ANSI C57.12.10-1988	<i>Requirements for Transformers 230,000 volts and below, 833/958-8333/10,417 kVA single-phase 750/862-60,000/80,000/100,000 kVA three phase, including supplements</i>
ANSI C57.12.70-1993	<i>Terminal Markings and Connections for Distribution and Power Transformers</i>
ANSI/IEEE C57.12.90-1993	<i>Test Code for Liquid-immersed Distribution, Power &amp; Regulating Transformers and Guide for Short-Circuit Testing of Distribution &amp; Power Transformers</i>
ANSI/IEEE C57.19.00-1992	<i>General Requirements and Test Procedure for Outdoor Apparatus Bushings</i>
ANSI/IEEE C57.19.01-1992	<i>Standard Performance Characteristics &amp; Dimensions for Outdoor Apparatus Bushings</i>
ANSI/IEEE C57.92-1992	<i>Guide for Loading Mineral-oil-immersed Power Transformers up to and including 100 MVA with 55C or 65C Average Winding Rise</i>

The NEMA Standards TR 1-0.01 through TR 1-0.09 on the following pages (see Part 0 Pages 1-9) also apply generally to transformers.

### 0.01 PREFERRED VOLTAGE RATINGS

Preferred system voltages and corresponding transformer voltage ratings are given in the American National Standard for Electric Power Systems and Equipment--Voltage Ratings (60 Hz), C84.1-1989. It is recommended that these ratings be used as a guide in the purchase and operation of transformers.

### 0.02 FORCED-AIR (FA) AND FORCED-OIL (FOA) RATINGS

Under the conditions of par. 5.11 of American National Standard ANSI/IEEE C57.12.00-1988, the relationship between self-cooled ratings and forced-air-cooled or forced-oil-cooled ratings shall be in accordance with Table 0-1.

Table 0-1  
FORCED-AIR AND FORCED-OIL RATINGS RELATIONSHIPS

Class	Self-cooled Ratings* (kVA)		Percent of Self-Cooled Ratings With Auxiliary Cooling	
	Single Phase	Three Phase	First Stage	Second Stage
OA/FA	501-2499	501-2499	115	--
OA/FA	2500-9999	2500-11999	125	--
OA/FA	10000 and above	12000 and above	133-1/3	--
OA/FA/FA	10000 and above	12000 and above	133-1/3	166-2/3
OA/FA/FOA	10000 and above	12000 and above	133-1/3	166-2/3
OA/FOA/FOA	10000 and above	12000 and above	133-1/3	166-2/3

\*In the case of multi-winding transformers or autotransformers, the ratings given are the equivalent two-winding ratings.

## PERFORMANCE

### 0.03 RADIO INFLUENCE VOLTAGE LEVELS

The following values apply to liquid-filled transformers. They do not apply to load tap changing during switching or to operation of auxiliary relays and control switches.

#### 0.03.1 Distribution Transformers

Radio influence voltage levels for distribution transformers, for systems rated 69 kV and less, shall not exceed 100 microvolts when measured in accordance with Section 7.01. The test voltage shall be the line-to-neutral voltage corresponding to 110 percent excitation of the transformer. This will be the coil voltage for wye connections and 1/3 times the coil voltage for delta connections.

### 0.04 POWER FACTOR OF INSULATION OF OIL-IMMERSED TRANSFORMERS

While the real significance which can be attached to the power factor of oil-immersed transformers is still a matter of opinion, experience has shown that power factor is helpful in assessing the probable conditions of the insulation when good judgement is used.

The proper interpretation of power factor of oil-immersed transformers is being given careful attention by manufacturers in connection with the problems of (1) selecting insulating materials, (2) sealing, and (3) processing the transformers. However, it is the comparative values which are guides for the successful solution for these problems rather than an absolute value of power factor.

The generally accepted factory tests for proving the insulation level are the prescribed low-frequency tests and impulse tests given in the American National Standard C57.12.90-1993.

When required, a factory power-factor test can be made, and this measurement will be of value for comparison with field power-factor measurements to assess the

probable condition of the insulation. It is not feasible to establish standard power-factor values for oil-immersed transformers because:

- a. Experience has definitely proved that little or no relation exists between power factor and the ability of the transformer to withstand the prescribed dielectric tests.
- b. Experience has definitely proved that the variation in power factor with temperature is substantial and erratic so that no single correction curve will fit all cases.

When a factory power-factor measurement of a transformer is required, the measurement should be made with the insulation at room temperature, preferably at or close to 20°C.

### 0.05 AUDIBLE SOUND LEVELS

Transformers shall be so designed that the average sound level will not exceed the values given in Tables 0-2 through 0-4 when measured at the factory in accordance with the conditions outlined in ANSI/IEEE C57.12.90-1993.

The guaranteed sound levels should continue to be per Tables 0-2 through 0-4 until such time as enough data on measured noise power levels becomes available.

Sound pressure levels are established and published in this document. Sound power may be calculated from sound pressure, using the method described in C57.12.90-1993.

Rectifier, railway, furnace, grounding, mobile and mobile unit substation transformers are not covered by the tables. The tables do not apply during the time that power switches are operating in load-tap-changing transformers and in transformers with integral power switches.

**Table 0-2**  
**AUDIBLE SOUND LEVELS FOR FULLY-IMMERSED POWER TRANSFORMERS**

Column 1 - Class "OA, On and FOW Ratings  
Column 2 - Class "FA and FOW First-stage Auxiliary Cooling"  
Column 3 - Straight FOW Ratings, FA, FOW Second-stage Auxiliary Cooling

Average Sound vel 11, c/s	Equivalent Temperature Rating																	
	350 kV BL and Below			450, 550, 650 kV BL			750 and 875 kV BL			900 and 1050 kV BL			1175 kV BL			1300 kV BL and Above		
	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3
700																		
1000																		
1500																		
2000																		
2500																		
3000																		
4000																		
5000																		
6000																		
7500	8750△			5000	3750△		4000	3175△										
10000	7500			6000	5000		5000	3750										
12500	9375			7500	6250		6000	5000										
15000	12500			10000	7500		7500	6250										
20000	16667			12500	9375		10000	7500										
25000	20000	20800		15000	12500		12500	9375										
30000	26667	25000		20000	16667		15000	12500		12500								
40000	33333	33333		25000	20000	20800	20000	16667		15000			12500					
50000	40000	41667		30000	26667	25000	25000	20000	20800	20000	16667		15000			12500		
60000	53333	60000		40000	33333	33333	30000	26667	25000	20000	20800	20000	16667			15000		
80000	66667	66667		60000	40000	41667	40000	33333	33333	30000	26667	25000	20000	20800	20000	16667		
100000	80000	83333		80000	53333	50000	50000	40000	40000	33333	33333	30000	26667	25000	20000	20800	20000	
	106667	100000		80000	66667	66667	60000	53333	50000	40000	41667	40000	33333	33333	30000	26667	25000	
	133333	133333		100000	80000	83333	80000	66667	60000	53333	50000	40000	41667	40000	33333	33333	30000	
		166667			106667	100000	100000	80000	66667	60000	53333	50000	40000	41667	40000	33333	33333	
		200000			133333	133333		106667	100000	100000	80000	66667	60000	53333	50000	40000	41667	
		250000				166667		133333		106667	100000	100000	80000	66667	60000	53333	50000	
		300000				200000				166667		133333	106667	100000	100000	80000	66667	
		400000				250000				200000			166667		133333	106667	100000	
						300000				250000			200000			166667		
						400000				300000			250000			200000		
										400000			300000			250000		
													400000			300000		
																400000		

Classes of cooling (see 2.6.1 of American National Standard C57.12.00-1988)

First- and second-stage auxiliary cooling (see TR 1.0.02)

For column 2 and 3 ratings, the sound levels are with the auxiliary cooling equipment in operation

For intermediate kVA ratings, use the average sound level of the next larger kVA rating

The equivalent two-winding 55°C or 65°C rating is defined as one-half the sum of the kVA rating of all windings

Δ Sixty-seven decibels for all kVA ratings equal to this or smaller



**Table 0-3**  
**AUDIBLE SOUND LEVELS FOR LIQUID-IMMERSED**  
**DISTRIBUTION TRANSFORMERS AND NETWORK TRANSFORMERS**

Equivalent Two-winding kVA	Average Sound Level, Decibels
0-50	48
51-100	51
101-300	55
301-500	56
750	57
1000	58
1500	60
2000	61
2500	62

Small Transformer

**Table 0-4**  
**AUDIBLE SOUND LEVELS FOR DRY-TYPE TRANSFORMERS 15000-VOLT**  
**NOMINAL SYSTEM VOLTAGE AND BELOW**

NOMINAL SYSTEM VOLTAGE AND BELOW				
Equivalent Two-Winding kVA	Average Sound Level, Decibels		Equivalent Two-winding kVA	Average Sound Level, Decibels
	Self-cooled Ventilated*	Self-cooled Sealed*		Ventilated Forced Air Cooled **,†
0-50	50	50	...	...
51-150	55	55	...	...
151-300	58	57	3-300	67
301-500	60	59	301-500	67
501-700	62	61	501-833	67
701-1000	64	63	834-1167	67
1001-1500	65	64	1168-1667	68
1501-2000	66	65	1668-2000	69
2001-3000	68	66	2001-3333	71
3001-4000	70	68	3334-5000	73
4001-5000	71	69	5001-6667	74
5001-6000	72	70	6668-8333	75
6001-7500	73	71	8334-10000	76

\* Class AA rating

\*\*Does not apply to sealed-type transformers

†Class FA and AJFA ratings

Large  
Transformer



## **Part 1**

### **POWER TRANSFORMERS**

The American National Standard C57.12.10-1988 has been approved as a NEMA Standard for power transformers and should be inserted in this Part 1.

The ANSI/IEEE Standard C57.92-1992, has been approved by NEMA and should be inserted in this Part 1.

The following other parts of this NEMA Publication No. TR 1 shall also apply:

- a. Part 1 General
- b. Part 6 Terminology
- c. Part 7 Test Code
- d. Part 12 Underground-Type Three-Phase Distribution Transformer

**Papp, Emery**

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**From:** Moss, Mimi  
**Sent:** Wednesday, February 25, 2015 3:54 PM  
**To:** Papp, Emery; Sullivan, Hope  
**Subject:** FW: Minden Solar Project Followup

FYI

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**From:** Steve Walker [<mailto:stevewalker@gbis.com>]  
**Sent:** Wednesday, February 25, 2015 12:23 PM  
**To:** Keith Rutledge  
**Cc:** Mary Walker  
**Subject:** Re: Minden Solar Project Followup

Thanks Keith - My wife and I plan to discuss and make recommendations on the project this weekend. I also plan to meet w/ Douglas Co. Planning where I can make some specific recommendations.

Steve Walker  
775-771-6323  
Sent from my iPhone

On Feb 25, 2015, at 11:18 AM, Keith Rutledge <[keithr@greenstonerenewables.com](mailto:keithr@greenstonerenewables.com)> wrote:

Hello Steve,

Thank you again for taking time to meet with us and for your constructive comments. We have now met with all of the adjacent property owners, the County Planner and most of the Commissioners as well as the Parks and we believe that we can address your concerns.

We discussed the irrigation situation and the project need for on-going vegetation management. Generally there is agreement that it will be beneficial to maintain irrigation of the project site so this will address your concern about the recharging of the aquifer. We also discussed using non-chemical vegetation management along with native plants to avoid any invasive weed species and this is acceptable. The Parks will also continue irrigation on the adjacent lands so you should not experience any reduction in aquifer recharging at and around your property.

We also discussed some form of vegetative screening for your view shed. We expect to maintain existing cattle fencing and then to install a cyclone fence around the solar array inside of that perimeter. We would like to know from you what you would prefer as far as plant types for a vegetative screen which we can suggest to the Planner for inclusion in the Special Use Permit process.

Please let us know if there is any other information that you would like or if you have any further questions.

Best wishes,

Keith



Keith Rutledge, Partner  
Direct 707-456-9571  
Cell 707-485-2613  
[www.GreenstoneRenewables.com](http://www.GreenstoneRenewables.com)

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## Papp, Emery

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**From:** Bob Ballou <boblaurel@charter.net>  
**Sent:** Thursday, February 26, 2015 11:10 AM  
**To:** Papp, Emery  
**Subject:** RE: Solar Farm DA 15-013

Interestng. I wonder what pilots will say about glare upon approach to Minden-Tahoe Airport.

Thank you.

s/Bob Ballou

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**From:** Papp, Emery [<mailto:Epapp@douglasnv.us>]  
**Sent:** Thursday, February 26, 2015 10:59 AM  
**To:** 'Bob Ballou'  
**Subject:** RE: Solar Farm DA 15-013

Dear Mr. Ballou,

The proposed use is not agricultural by design, but the proposed use is permitted in the zone subject to approval of a Special Use Permit and approval of a Major Design Review. The first component of the project is to establish the use. The item is scheduled for public hearing on March 10, 2015. I am happy to assist you with any questions or concerns regarding the proposed project.

Sincerely,

Emery J. Papp  
Senior Planner  
Douglas County  
Community Development Department  
1594 Esmeralda Avenue  
P.O. Box 218  
Minden, NV 89423  
(775) 782-9012  
[epapp@co.douglas.nv.us](mailto:epapp@co.douglas.nv.us)  
<http://www.douglascountynv.gov>

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**From:** Bob Ballou [<mailto:boblaurel@charter.net>]  
**Sent:** Thursday, February 26, 2015 10:50 AM  
**To:** Papp, Emery  
**Subject:** Solar Farm DA 15-013

Emery,

Can you tell me what is agricultural about a solar photovoltaic farm other than the word "farm"?

thank you,

s/Bob Ballou

## **Papp, Emery**

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**From:** Russel <rsbyington@msn.com>  
**Sent:** Tuesday, March 10, 2015 9:29 AM  
**To:** Papp, Emery  
**Subject:** Park Solar Farm

Mr. Papp,

I am in complete support of the solar project being proposed on Park land. I live at 560 Genoa Lane and am the president of Galeppi Land & Livestock corporation. We met with Mr. Fromm and what is being proposed will not affect or effect Galeppi Land & Livestock. I believe that it will be an asset to the county and the state. I also believe that it is Park land and they should be allowed to do as they wish with their land.

Sent from Windows Mail



## **Papp, Emery**

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**From:** melwoodonly@aol.com  
**Sent:** Sunday, April 05, 2015 7:57 PM  
**To:** Papp, Emery  
**Subject:** Proposed Solar Industrial Electrical Plant

To the Douglas County Planning Commission:

**Regarding the proposal by the Park Cattle Company and Greenstone Renewables, LLC., to place a solar industrial electrical plant on 260 acres of irrigated pastureland in the Valley between Genoa and Muller Lanes.**

The area between Muller Lane and Genoa Lane is zoned for A-19 - agricultural. I can't think of anything uglier to spoil our Carson Valley than this proposal. It won't even benefit the Carson Valley.

I would ask you to vote against this proposed development. It will be very visible on the drive down Kingsbury Grade which is the first impression of many tourists to our Valley.

Thank you.

Penelope Wright  
Gardnerville Resident

## **Papp, Emery**

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**From:** Mary Walker <marywalker@gbis.com>  
**Sent:** Monday, April 06, 2015 6:49 AM  
**To:** Moss, Mimi; Sullivan, Hope; Papp, Emery  
**Subject:** Walker Letter of Opposition to Greenstone Industrial Solar Plant Project  
**Attachments:** PlanningCommissionLetterofOppositiontoGreenstoneProject.doc  
  
**Importance:** High

Good morning,  
Please find attached the Walker letter of opposition to the Greenstone Industrial Solar Plant Project.

Steve will be dropping off agenda packets for you early this morning. We copied the letter and the many attachments which had maps and Alpine Decree Water Right information, etc.

Thank you for considering our request for denial.

Please let us know if you have any questions.

Mary  
775-771-5964

Steve  
775-771-6323

Date: April 6, 2015  
To: Douglas County Planning Commission  
From: William Kugler and Sue Coffey  
Subject: Agenda Item (DA) 15-013-Photovoltaic Farm Application

We are writing this to show our great concern that Douglas County is even hearing an application for a 260 acre Solar Farm between Muller and Genoa Lane in the heart of our valley.

We are proponents of green energy, but not when it 1) destroys our pastoral scenery we all cherish and is a gift to all who live and travel here 2) destroys the value of our citizens homes and land 3) creates hazardous conditions in the valley and roads with potentially blowing debris 4) is built on irrigated pastureland, destroying habitat and creating a precedent where any one of us could be subjected to this type of inappropriate and incompatible industrial use in our own back yards.

And, to make matters worse, this project brings absolutely no benefit to Douglas County whatsoever. It is offensive that the applicants feel they can ruin our valley while benefiting Lake Tahoe, Ca. It feels to us like we are being dumped on.

Our citizens and local government have fought hard to keep our valley verdant and beautiful. Good and beneficial growth was fought against in an effort to leave the pasture fields as they are, especially along the 395 corridor and the corner of Muller/395. And now we are looking at a potential industrial solar field of almost 300 acres potentially being built there? At least a shopping complex, equestrian center and good planned development would have been beneficial to our citizens. If we allow this type of industrial use on pastureland, we are going against everything we fought for. Additionally, if approved, it would set a precedent that an industrial use of this nature could be placed anywhere and our quality of life and property values could plummet. That's a scary thought. When we were looking for pictures of what a 300 acre solar farm looks like, which is ghastly, we found it was rare they were placed anywhere near a home or close to a highway! The Walkers will lose a great amount because they would lose the value of their home and property. To throw two of our citizens into that scenario would be unconscionable.

If we are going to approve a solar field, it should be to service our community and it should be placed out by the fairgrounds on leased BLM land where it will not harm anyone, destroy property values or our pastoral valley. The proposed location has less sunlight per day compared to out east of the valley.

We also question how safe this project would be. There have been some places in the valley where the wind has reached close to 125 mph. If there is blowing debris or panels, it will be blown into 395 and into the Walkers home. We've had horses injured/killed and buildings/trees/poles blown down or destroyed. Once built, the destruction of the plants and grasses would cause major dust storms across

the highway causing potentially severe hazard problems. This is probably not a good location for this project.

We take Muller Lane frequently and enjoy the migrating birds, eagles and hawks. If those pastures are destroyed for metal panels we would not be good stewards of our lands or caretakers of our wild birds and animals. We enjoy a certain quality of life in Douglas County and this could result in a slippery slope. Let's not forget who we are and what we treasure here.

We strongly request you consider denying this application for the solar farm at this location – or any location in Douglas County unless it is going to benefit our citizens and is located in an appropriate area.

Thank you

Sue Coffey and William Kugler

790 Eagle Meadows Lane

Gardnerville, Nevada 89460

775-450-8461

## **Papp, Emery**

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**From:** Joan Hall <joan@mail.nrhp.org>  
**Sent:** Monday, April 06, 2015 6:59 PM  
**To:** Papp, Emery  
**Subject:** Greenstone solar farm

As a 4th generation to call Carson Valley home, I urge you to deny this application.  
What a horrid blight on our beautiful valley this would be. Please oppose it.

Joan Summers Hall  
657 Stonestrow Rd  
Gardnerville, NV

Joan S. Hall  
President/CEO  
NEVADA RURAL HOSPITAL PARTNERS  
4600 Kietzke Lane I-209  
Reno, NV 89502

775-827-4770 (w)  
775-721-8548 (c)

[joan@nrhp.org](mailto:joan@nrhp.org)

## **Papp, Emery**

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**From:** Al Sheehan <aes1924@charter.net>  
**Sent:** Tuesday, April 07, 2015 8:10 AM  
**To:** Papp, Emery  
**Subject:** Solar Industrial Electrical Plant

Park Cattle Company and Greenstone Renewables, LLC should not be allowed to install Solar Panels especially in irrigated pastureland and the power sold to California. Such Solar array built in the dry foothills and the power used in Nevada would be another consideration. DO NOT APPROVE!

Alfred and Susan Sheehan  
964 Parkview Court,  
Carson City, NV 89705  
Douglas County Resident





MEMO TO: Douglas County Planning Commission

FROM: Steve and Mary Walker

DATE: April 6, 2015

RE: Greenstone and Park Cattle Company Application for Special Use Permit for Solar Industrial Plant between Muller Lane and Genoa Lane

**Introduction:**

Steve and Mary Walker, residents of 661 Genoa Lane, Minden, Nevada requests the Douglas County Planning Commission deny the Development Application, File Number DA 15-013, being heard at the Planning Commission meeting on April 14, 2015 and requests the Planning Commission revisit the ordinance allowing solar industrial plants on A-19 pastureland.

The request for denial is based on the following;

**20.604.060 Findings**

*When considering applications for a special use permit, the commission or board, where applicable, must evaluate the impact of the special use on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location*

The application to cover 240 acres of irrigated agriculture in the middle of Carson Valley with a solar industrial plant is not compatible with surrounding properties and neighborhoods because it places an industrial use in a pastoral setting. Replacing green fields with hundreds of acres of 15 foot shiny, metal photovoltaic panels surrounded by an 8 foot chain linked fence with 3 string barbed wire on top is not compatible with Carson Valley's beautiful green fields.

The residence currently most affected, besides future homes in the area, is the Walker residence located at 661 Genoa Lane directly on the northern boundary of the solar power plant. Residences who live in A-19 residential zoning expect to look over horse and cow pastures, meadows, agricultural uses and other houses to enjoy views of the mountains. People who live in the A-19 residential zoning district expect that the district will be residential and agricultural. They expect to live in a quiet, country setting. A field of thousands of 15 foot high shiny metal solar panels with an 8 foot chain link fence with 3 strings of barbed wire on the top is not consistent with the purpose of the zoning district. It is an incompatible use.

environments. Allowing a Solar Photovoltaic Facility in the A-19 residential and agricultural zoning district is an incompatible use.

There is currently only one residence on the boundary of the project. Chapter 20.604.060 does not differentiate whether the chapter applies to 1 residential property or 100. The Chapter is for ALL properties. The Chapter does not discriminate against one property or another. It is established to protect ALL residential properties in the vicinity.

***20.604.060 H. The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.***

The Applicant has NOT met this finding. The Applicant states by merely adhering to the limited requirements of Section 20.668.260 Solar Photovoltaic Facility (including having a height of the solar photovoltaic unit not to exceed a height of 15 feet) the project will not result in material damage or prejudice to other property in the vicinity.

This is clearly wrong for the following reasons:

Residential Property Devaluation. The special use will result in material damage and prejudice to every residential home and residential housing site in the area. The existing residence currently most affected, besides surrounding A-19 residential lots, is the Walker residence located at 661 Genoa Lane directly on the northern boundary of the solar power plant. Residences who live in A-19 zoning expect to look over horse and cow pastures, meadows, agricultural uses and other houses to enjoy views of the mountains. People who live in the A-19 zoning district expect that the district will be residential and agricultural. A field of thousands of 15 foot high shiny metal solar panels with an 8 foot chain link fence with 3 strings of barbed wire on the top is not consistent with the purpose of the zoning district. It is an incompatible use.

The Walkers spoke to appraisers to try to define specifically the devaluation of their home if the proposed solar industrial plant were to be approved. Appraisers are not able to give an appraisal for a future development. However, ask yourself a question:

If you had two residential properties you were looking to buy and one had a 260 acre solar industrial plant with 8 foot high chain linked fences with 3 barbed wire on the top surrounding it and another property which looked out onto a lovely green field, which one would you take? The one with the lovely green field, of course. That means the project would materially damage the value of the property.

The Walkers have worked for almost 40 years for retirement. Their residence at 661 Genoa Lane was part of that retirement income since they would downsize and sell the property and live off the proceeds from the sale, as well other investments. The Greenstone solar industrial plant could mean the Walkers would not be able to ever sell their property. Their retirement income from the sale of their property they were relying on would be gone.

***“The site is currently vacant and covered with native grass and sagebrush. The project area is considered to have low agricultural value due to poor soils.”***

As one can see by the attached Carson River Decree map, the recent photo showing active irrigation, the Douglas County Soils Map and photos of active agricultural use that these statements are not valid.

- 80% of the site is irrigated and producing pasture grasses. The soils map show approximately 50% of the area is within a Soils Capability Class of 3-W. The best soils in Carson Valley are Capability Class - 2. A portion of the area – estimated at 20% - see delineation on recent Google Photo – does have soil limitation and is not effectively irrigated. The area is dominated by Black Greasewood and Green Rabbit Brush with an Inland Saltgrass understory. There is not a sagebrush within a mile of the site. The remaining areas vary in soil capability class ranging from Class 4-W to Class 6-W but all are irrigated and producing pasture grasses.
- The same limited soils – Capability Class 6-W – were within the last decade leveled and put into border irrigation on the south end of the property adjacent to the MGSD reclaimed water storage ponds – see attached soils map/2014 Google Map.
- The Alpine Decree Water Rights appurtenant to the property – Claims 428, 429 and 432 have priority dates of 1858, 1895 and 1870 respectively – See Carson River Decree attached map. A recent investigation into the status of these rights indicates the point of diversion or place of use has not been moved since they were established. (reference Eric Schadeck, Water Resource Specialist, Division of Water Resources 4/1/15)
- Based on a 9/16/2008 contract with Minden Gardnerville Sanitation District the Parks are allocated 375 acre feet per year from the reclaimed water reservoirs immediately adjacent and up-gradient to the 260 acre parcel. The contract expires in 2077. (Reference Walker & Associates report to the Carson Water Subconservancy District on uses of reclaimed water in Carson River Watershed)
- Based on an Agricultural Economic Evaluation of the 260 acre property by Steve Walker, the revenue Park Cattle Company generates from the proposed site is approximately \$85,000 per year. It is an active, productive agricultural ranch. (See attached analysis)

Land irrigated since 1859 does not quite fit the description of **“limited history of agricultural activities”**. Pastureland with two source of irrigated surface water, one source adjacent to the irrigated pasture, is very rare in Carson Valley. The area is irrigated frequently due to these two sources of surface water. Steve and Mary Walker have lived within 200’ from the north end of the property for 12 years and the tail water from the irrigation back up and created shallow ponds just south of our residence every irrigation, creating great migratory inland shorebird and duck habitat. The pictures provided show cows grazing irrigated pasture further proves that the area is typical Carson Valley irrigated pasture.

***AG Policy 2.2 Douglas County shall provide a range of compatible uses on the agricultural lands and means for agricultural property owners to obtain benefit from this land while achieving the public goal of agricultural preservation.***

Greenstone has failed to meet this policy. How could an industrial use of stark, shiny metal structures that shade a large portion of a once productive irrigated pasture be a compatible use of agricultural properties? The very essence of ag land is to capture the sun's energy to create food. Can compatible use be defined as capturing the sun's energy to provide power to out of state customers? Does conversion of irrigated pasture land in driest state in the union to solar panels contribute to **"achieving the public goal of agricultural preservation?"**

## **Chapter 2 - Land Use Element of Master Plan**

***LU Goal 2 -To retain the beauty, the natural setting and resources, and the rural/agricultural character of the county while providing opportunities for managed growth and development.***

Greenstone has failed to meet this policy. One could very easily make the argument that to NOT **"retain the beauty, the natural setting and resources, and the rural/agricultural character of the county..."** that we convert the irrigated agricultural area of our valley to an industrial use characterized by the monotonous coverage of a sea of solar panels. This same practice could easily reduce the general appeal of our valley that fosters **"managed growth and development."**

***Policy 2.2 - Douglas County shall use its planning and development regulations to protect residential neighborhoods from encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.***

Greenstone has failed to meet this policy. A-19 zoning allows for a residence on each 19 acre parcel and that residence should be allowed the same protection of any other residence **"from encroachment of incompatible activities or land uses...."** Implementation of this project will invariably reduce the value of the existing residence and reduce the value of lots surrounding the project. Approving the project does not provide **"protection"** but does definitely **"have a negative impact on the residential living environment ."**

Residences who live in A-19 zoning expect to look over horse and cow pastures, meadows, agricultural uses and other houses to enjoy views of the mountains. People who live in the A-19 zoning district expect that the district will be residential and agricultural. A field of thousands of 15 foot high shiny metal solar panels with an 8 foot chain link fence with 3 strings of barbed wire on the top is not consistent with the purpose of the zoning district. It is an incompatible use.

Greenstone has failed to meet this policy. If this special use permit is denied the County will be adhering to this policy. The findings listed above from 3 different planning documents repeatedly make the case the project does not meet the goals of the Master Plan. Again, how could placing 15 foot high metal shiny solar panels with an 8 foot fence with 3 barbed wire on top over 260 acres of irrigated agricultural lands **"maintain or enhance the existing rural and scenic character of the community."**

#### 20.604.060 Findings (cont)

***B. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include, but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both, to mitigate such impacts;***

Greenstone has failed to meet this finding. The adjacent development is agricultural land and residential home sites. The applicant's response to the above requirement stated that just by merely following the basic requirements of the new ordinance (Ordinance No. 2014-1416) (which includes 15 foot high solar panel allowance), this finding is met. Furthermore the justification for not addressing any impacts the project might have on adjacent properties is rationalized by pointing out that **"only one residential dwelling located within the 1,320 notification range"**. The applicant further states that **"Therefore, the proposed Solar Farm conforms with and preserves the character and integrity of adjacent development and this finding can be made."** How can an industrial Solar Farm with 15 foot shiny, metal solar panels with an 8 foot high chain linked fence with 3 strands of barbed wire around it "preserve the character and integrity" of the A-19 agricultural residential zoning? Additionally how could a 260-acre array of contiguous solar panels preserve the character and integrity of irrigated agriculture. Water and management preserve the integrity of the adjacent sites.

***E. The proposed development incorporates features to minimize adverse effects, including visual impacts, of the proposed development on adjacent properties.***

Greenstone has failed to meet this finding. Nothing in the application addressed minimizing adverse affects to the properties adjacent to the site. There is only 1 residential property on the border of the project, but there are several A-19 parcels with future planned residential projects.

The development does not address the heat impacts of the heat emanating from the panels, sound impacts, dust impacts, or visual impacts, particularly driving down Kingsbury Grade, Hwy 395, Muller Lane and Genoa Lane. The pictures the application shows greatly minimizes the effect by only showing half the area impacted along 395 or showing a 5 foot height when they are clearly asking for a "not to exceed 15 feet height." The application and pictures also do not

metals, such as cadmium, leached from solar panels has been found to disrupt the respiratory system in rats, mice, monkeys, rabbits and hamsters (Fthenakis et al., 1999). The study also found while "none of the metals that leached from the newly installed thin film solar panel exceeded USEPA recommended limits for non-potable water reuse, in either cases of long-term or short-term usage. Therefore, rainwater can be harvested from solar panels for non-potable uses, such as irrigation. However, once again, it is important to note here that these results are obtained from a newly installed solar panel. **Higher concentrations of leached metals may occur as the solar panel is weathered and ages with time.**"

**Regarding potable uses the study states "the significance of this project is solar panels installed on rooftops can become a source of metal contaminants for rainwater harvesting systems installed in the same residential household. Results indicate that harvested rainwater from a newly installed amorphous silicon thin film solar panel suggest that the concentrations of cadmium and lead might be elevated for potable uses. Nonetheless, these water quality indicators of harvested rainwater from a solar panel may change as the solar panel undergoes weathering and aging."**

This brings another question of what happens to the birds and wildlife which may drink water contaminated by the solar panels? The leached metals could affect their respiratory system as is stated in the studies above. This is detrimental to the health of the birds and wildlife in Carson Valley.

Regarding the potential for Carson Valley mid-valley gale force winds damaging the solar panels, it's important to note solar panels are made out of silicon. If people inhale silicon dust over long periods of time, they can develop a disease called silicosis. This happens because silicon dust damages lung tissue, making lung capacity smaller and impeding breathing. The disease develops very slowly and there is no known treatment.

Regarding the noise level proposed in the application, the applicant states "Chapter 8.04 of the Douglas County Code Title 8 requires that noise generated from an EDNA Class C property to an EDNA Class A property should not exceed a maximum permissible noise level of 60 dBA at the property boundary of the receiving property or anywhere within...the sound emissions from the solar farm from the tracking mechanism will not exceed 60 dBA limit set in the Douglas County Nevada Code."

We do not believe this is correct. The Walker residence currently enjoys a quiet, silent atmosphere due to the prevailing winds blowing traffic noise away from the residents. You cannot hear the highway from the Walker residence because of this. The application for the solar industrial plant will create much more noise than the application refers to because the prevailing winds from the south will now blow right into the Walker residence bringing higher levels of noise than is being stated in the application.

Therefore, the Greenstone solar industrial plant special use application does NOT meet the findings of 20.604.060 H requiring the special use will NOT be materially detrimental to the



and water rights. We also provided a letter to the Planning Commission date March 8<sup>th</sup>, 2015 expressing are concerns and asking for denial of the project.

**Second complete paragraph of staff report– page 4 – “The site is currently vacant and covered with native grass and sagebrush. The project area is considered to have low agricultural value due to poor soils.”**

Staff is simply mimicking the statement made by the applicant – see page 12 of this memo. Summarizing the data presented the area is approximately 20% shrub dominated, has over 50% of the area as Class 3 soils, the south end is leveled and uses border irrigation. There is not a sagebrush within a mile of the site and the herbaceous vegetation (grasses and forbs) is made up of a variety of introduced and native species. Additionally the area has two sources of surface irrigation water including a portion with a 1859 Alpine Decree water right (Claim 428) and is frequently irrigated as depicted on the April, 2014 Google earth map.

Thank you for considering our request to deny the special use permit for the Greenstone Solar Industrial Plant to be located on productive, irrigated pastureland in the heart of Carson Valley!



## **LIST OF ATTACHMENTS**

1. March 8, 2015 Memo to Douglas County Planning Commission
2. Soils Map and Map Unit Descriptions
3. April 14, 2014 Google Earth Map
4. Alpine Decree Carson River Water Rights Map and Place of Use Description
5. Agricultural Economic Evaluation of 260 acre Parks Property
6. Liberty Energy's Request for Proposal for Solar Project – minimum 20 MW
7. Inland Shorebirds and Ducks/Geese identified on north end of project site
8. Nevada Secretary of State Business License Search Results
9. Photos with Simulated 15 foot Solar Panels at 3 Locations



# Walker & Associates

661 Genoa Lane, Minden, Nevada 89423

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DATE: March 8, 2015  
TO: Douglas County Planning Commission  
FROM: Steve Walker and Mary Walker  
SUBJECT: Douglas County Planning Commission Agenda for March 10, 2015 Item (DA) 15-013 – Photovoltaic Farm

Commissioners,

Carson Valley is one of the most beautiful, pastoral communities we have ever seen. That is why we have chosen to live here. That is one of the biggest reasons most people chose to live here. Part of the reason for its beauty is due to its unparalleled mountain view and green pastures, but the other part is due to the fact Douglas County has been fortunate to have a long history of stewardship which has protected the beautiful Carson Valley landscape from inappropriate development.

Many decades ago, community leaders denied billboards along the highway. Where would we be today if neon billboard signs were strewn along the highway through Carson Valley? Also, years ago community leaders enacted A-19 zoning to protect Carson Valley's flood plain, particularly in the Valley center, and to protect our beautiful pasturelands and ranches insuring our valley didn't become filled with LA type subdivisions. Those community leaders saved our beautiful valley with their wisdom and foresight. We are asking that you do so again. Please save, once again, our beautiful valley from inappropriate industrial development being placed in the Valley's center by not allowing an electric generating facility (photovoltaic farm) to be placed on irrigated pastureland.

We ask you to deny Agenda Item (DA) 15-013-Photovoltaic Farm application to continue the wonderful stewardship, which came before you.

**Background:**

We own the only house currently being affected by the proposed industrial photovoltaic farm at this time, however, there are future homeowners who will be adjacent to us who will also be impacted. The current layout would be 100 feet from our southern property line. While the map of the project shows the area just south of our house will not be developed, the actual application is for the development of the entire parcel that conflicts with the map submitted to the Planning Commission.

We are opposed to the Special Use Permit for the industrial photovoltaic farm on being heard on by the Douglas County Planning Commission on March 10, 2015, based on the grounds that it is

**an incompatible use under Douglas County Code §20.604.060, in that the application seeks to establish an industrial use on agricultural land, next to a residence.**

Ordinance number 2014-1416, was approved by the Douglas County Commission on September 4<sup>th</sup>, 2014 and became effective September 18<sup>th</sup>, 2014. This ordinance allowed for Photovoltaic Farms to become an allowed use on lands zoned A-19 (Agricultural 19), FR-19, FR-40 (Forest & Range 19 & 40), LI (Light Industrial), PF (Public Facilities) and RA 5 and 10 (Rural Agriculture 5 & 10 acre minimum.) However, a Special Use Permit (SUP) is required to construct a Photovoltaic Farm on any of these zoning types to insure the compatibility to the surrounding area.

Since the enactment of this ordinance 2 Photovoltaic Farm Special Use Permit applications have been received. DA 14-070, a SUP application for a 40 mega-watt photovoltaic farm was heard and denied by the Planning Commission on January 13<sup>th</sup>, 2015. The decision was appealed to the Board of County Commission that upheld the Planning Commission denial based on incompatible use under Douglas County Code 20.604.060 on March 5<sup>th</sup>, 2015. We are requesting denial of the Photovoltaic Farm on the March 10, 2015 Planning Commission agenda for the exact same reason, incompatible use.

On February 23, 2104 Steve Walker met with Mr. Keith Rutledge and Mr. Derek J. Fromm at his residence - 661 Genoa Lane - to discuss the second proposed photovoltaic farm that is now on the March 10th Planning Commission agenda. When Mr. Walker asked the obvious question of why put a photovoltaic project, an industrial use, on irrigated pasture, a very limited resource in the driest State in the Union? Mr. Rutledge's answer was very straight forward. The electrical sub station located 200 feet from the project boundary was the transfer point where NV Energy supplied power to Liberty Energy at South Lake Tahoe. Liberty Energy needed to adhere to a State of California energy portfolio requirement that 30% of its electrical resource be provided by renewable energy sources. The irrigated pasture was in the perfect location to develop the resource and very efficiently transfer the electricity to the California based utility. **Therefore, this project would only benefit California, not Nevada and not Carson Valley.**

**The question is: Should proximity to an electrical sub-station be the most important consideration in our land-use decisions?**

#### **Reasons for Opposition:**

##### **Sets a terrible precedent to allow industrial use on irrigated pasture.**

If the Planning Commission and County Commissioners allow for these types of industrial usages on irrigated pasture, it will set a terrible precedent because once you allow this usage, you will not be able to stop the next solar electrical project on another piece of pastureland and another and another. Our green pastures we so enjoy now, will be replaced with electrical generating plants supplying power to California. The beautiful agricultural and rural beauty of Douglas County will be seriously marred forever.

The ordinance developed in September to allow industrial use on wide variety of zoning types in Douglas County needs to be re-visited and fine-tuned. Once we allow energy generating facilities to be constructed on the pastoral countryside of our valley we will be negatively impacting the very reason our valley is special and our property values remain high. The proponent has mentioned that the facility simply looks like a mechanical vineyard and could be preferable to houses on 20-acre lots. Do houses on 20 acres cover the total land surface, destroy the abundant wildlife habitat, create large-scale soil disturbance that enhances noxious weed invasion and create a 12-hour per day 60 DBA noise level? **The real question is should we cover Carson Valley irrigated agricultural land with solar panels?**

We would recommend the Planning Commission reject all applications for photovoltaic farms until Ordinance 2014-1416 can be re-visited. The term "photovoltaic farms" is simply a euphemism for electrical generation facilities that belong in areas zoned Light Industrial, Public Facilities and possible FR 40 all with the SUP application process required. The current ordinance is not working for either the developer or the residences impacted by the projects.

The project area occurs in a pasture area that has not been recently leveled and is locally referred to as rough pasture. The vegetation, although grass dominate, also has some area where phreatophytic shrubs (Green Rabbit Brush and Greasewood) occur. The shrub species creates vertical habit, cover and nesting opportunities. The uneven pasture surface creates ponding during irrigation, providing a habitat more diverse than the improved pastures surrounding the parcel. In our 13 years of living here we have observed Sandhill Cranes, Willets, Mallard Ducks, Great Blue Herons, Snowy Egrets and other species successfully nest in the pasture area. Do Carson Valley citizens really want to cover our most productive wildlife habitat areas with solar panels? Non-irrigated, non-riparian areas in Nevada are typically not prime habitat due to lack of precipitation and occur all around our valley. Should proximity to a electrical sub-station be the most important consideration in our land-use decisions?

**Project is not a compatible use.**

The photovoltaic farm is an industrial electrical plant proposed to be placed in a residentially zoned agricultural area, A-19. This project does not fit into an area where there are existing residences or irrigated pastureland. **It is not a compatible use with the surrounding residentially zoned agricultural area.**

**The central Carson Valley is a very windy area.**

Central Carson Valley is one of the windiest areas in the Valley. The proponents have stated their solar panels can resist winds up to 90 miles per hour. After living here for 13 years, we can guarantee you winds are stronger than that. The solar panels will not be able to withstand winds greater than 90 miles per hour, leaving one to fear they will be carried not just into our home but also Highway 395 less than a mile away.



**Project is of no benefit to Douglas County.**

This project's output, solar electricity, will not benefit Douglas County or Nevada per the proponents. There will be no real impact on employment with only one proposed full time employee maintaining the project. In fact, the project is a detriment because it could lead to many other industrial photovoltaic farms that will cover our green pastures that enhance the quality of life in Carson Valley.

**Effect on Irrigation or Flooding.**

This project could have a substantial impact on irrigation if they don't retain the historical and directional irrigation patterns in the Valley. The berms they may build could block irrigation return flow to downstream properties.

What would a solar farm's effect be on flooding? One of the primary reasons for the A-19 zoning is to protect the Valley's flood plain. If solar farms are allowed to go anywhere in A-19 zoning, could it affect the Valley's ability to move flood waters through the Valley in times of 100 year floods without creating more flooding to adjacent properties?

**Conclusion**

We respectfully request denial of Item (DA) 15-013 Photovoltaic Farm currently under consideration for the Planning Commission's March 10, 2015 meeting. The reasons are;

- The project is an incompatible use under Douglas County Code 20.604.060
- The project would set a terrible precedent, allowing industrial electrical generating plants on irrigated pastureland.
- The project is being located in a very windy area of the valley that could pose safety problems.
- The project is no benefit to Douglas County since the electricity is being sold to California and only 1 permanent job is being created.
- The project is detrimental to the Valley's irrigation system and the varied wildlife.
- Most of all, it will mar the beautiful pasturelands which help make up the incredible beauty of Carson Valley.

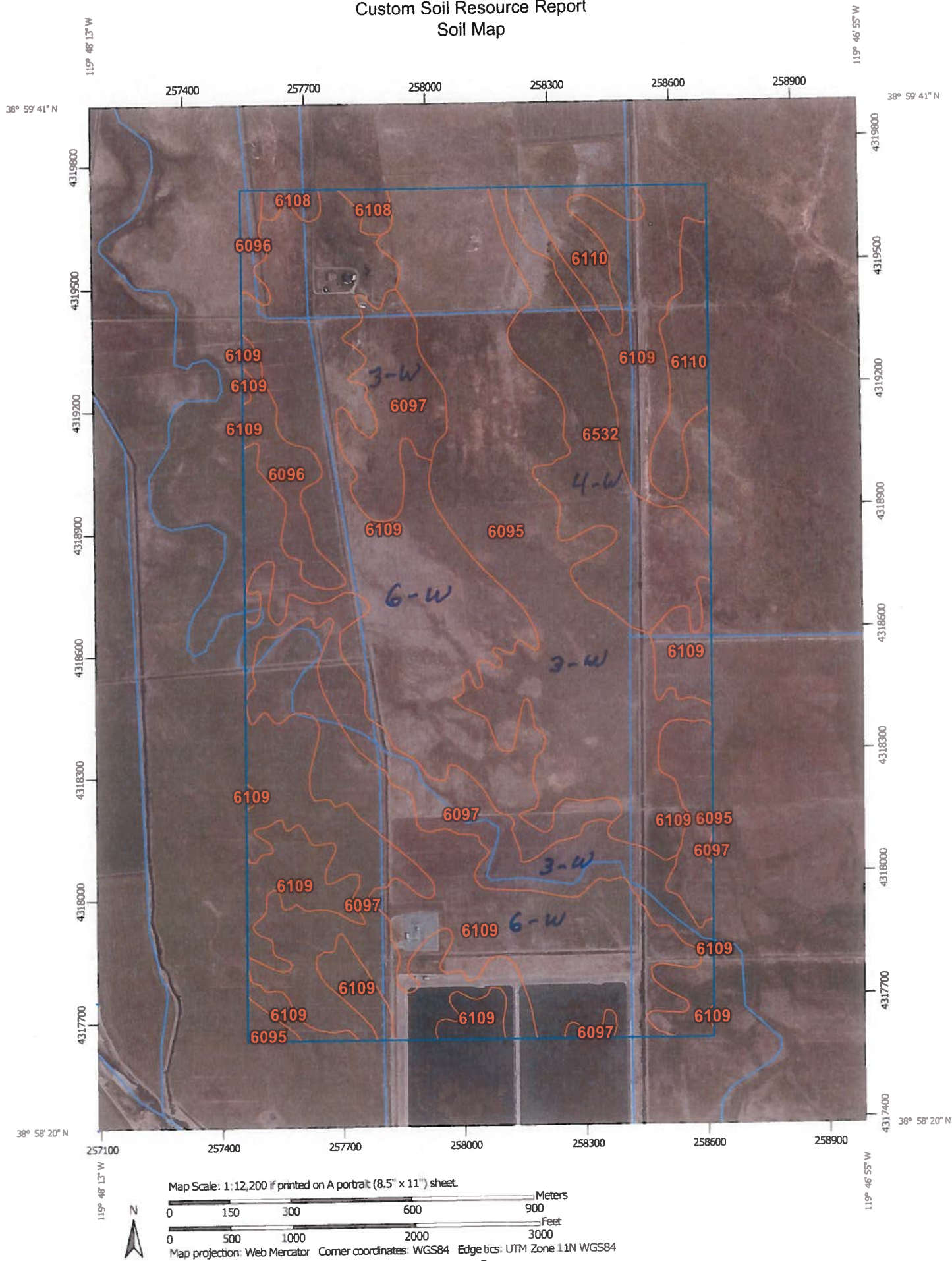
Thank you very much for your consideration of request for denial.

If you have any questions, please do not hesitate to contact us.

Steve Walker – [stevewalker@gbis.com](mailto:stevewalker@gbis.com)

Mary C. Walker - [marywalker@gbis.com](mailto:marywalker@gbis.com)

# Custom Soil Resource Report Soil Map



## Custom Soil Resource Report

by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Douglas County Area, Nevada

### **6095—Mindlebaugh clay loam, 0 to 2 percent slopes, drained, slightly saline-alkali**

#### **Map Unit Setting**

*National map unit symbol: pmrf*

*Elevation: 4,640 to 5,080 feet*

*Mean annual precipitation: 8 to 10 inches*

*Mean annual air temperature: 46 to 52 degrees F*

*Frost-free period: 90 to 110 days*

*Farmland classification: Not prime farmland*

#### **Map Unit Composition**

*Mindlebaugh and similar soils: 85 percent*

*Minor components: 15 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### **Description of Mindlebaugh**

##### **Setting**

*Landform: Flood plains*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

*Parent material: Alluvium*

##### **Typical profile**

*A - 0 to 10 inches: clay loam*

*Bk - 10 to 27 inches: loam*

*Agb - 27 to 32 inches: loam*

*Cg - 32 to 60 inches: loam*

##### **Properties and qualities**

*Slope: 0 to 2 percent*

*Depth to restrictive feature: More than 80 inches*

*Natural drainage class: Poorly drained*

*Runoff class: High*

*Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)*

*Depth to water table: About 24 to 36 inches*

*Frequency of flooding: Occasional*

*Frequency of ponding: None*

*Calcium carbonate, maximum in profile: 5 percent*

*Salinity, maximum in profile: Nonsaline to slightly saline (0.0 to 8.0 mmhos/cm)*

*Sodium adsorption ratio, maximum in profile: 12.0*

*Available water storage in profile: High (about 11.4 inches)*

##### **Interpretive groups**

*Land capability classification (irrigated): 3w*

*Land capability classification (nonirrigated): 6w*

*Hydrologic Soil Group: C*

#### **Minor Components**

##### **Mindlebaugh**

*Percent of map unit: 5 percent*

## Custom Soil Resource Report

*Landform:* Flood plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

### **Kimmerling**

*Percent of map unit:* 5 percent  
*Landform:* Flood plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

### **Jubilee**

*Percent of map unit:* 5 percent  
*Landform:* Flood plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Other vegetative classification:* MOIST FLOODPLAIN (026XY001NV\_2)

## **6096—Mindlebaugh clay loam, 0 to 2 percent slopes, drained**

### **Map Unit Setting**

*National map unit symbol:* pmrg  
*Elevation:* 4,640 to 4,740 feet  
*Mean annual precipitation:* 8 to 10 inches  
*Mean annual air temperature:* 46 to 50 degrees F  
*Frost-free period:* 90 to 110 days  
*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Mindlebaugh and similar soils:* 90 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Mindlebaugh**

#### **Setting**

*Landform:* Flood plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium

#### **Typical profile**

*H1 - 0 to 10 inches:* clay loam  
*H2 - 10 to 27 inches:* sandy clay loam  
*H3 - 27 to 32 inches:* sandy clay loam  
*H4 - 32 to 60 inches:* sandy clay loam

#### **Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Poorly drained  
*Runoff class:* Low

## Custom Soil Resource Report

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.20 to 0.57 in/hr)

*Depth to water table:* About 24 to 36 inches

*Frequency of flooding:* Occasional

*Frequency of ponding:* None

*Calcium carbonate, maximum in profile:* 5 percent

*Salinity, maximum in profile:* Slightly saline to strongly saline (8.0 to 32.0 mmhos/cm)

*Sodium adsorption ratio, maximum in profile:* 45.0

*Available water storage in profile:* High (about 11.4 inches)

### Interpretive groups

*Land capability classification (irrigated):* 3w

*Land capability classification (nonirrigated):* 6w

*Hydrologic Soil Group:* C

### Minor Components

#### Mindlebaugh

*Percent of map unit:* 5 percent

*Landform:* Flood plains

*Down-slope shape:* Linear

*Across-slope shape:* Linear

#### Kimmerling

*Percent of map unit:* 3 percent

*Landform:* Swales

*Down-slope shape:* Convex

*Across-slope shape:* Convex

#### Jubilee

*Percent of map unit:* 2 percent

*Landform:* Swales

*Down-slope shape:* Convex

*Across-slope shape:* Convex

## 6097—Mindlebaugh clay loam, 0 to 2 percent slopes, slightly saline-alkali

### Map Unit Setting

*National map unit symbol:* pmrh

*Elevation:* 4,640 to 4,740 feet

*Mean annual precipitation:* 8 to 10 inches

*Mean annual air temperature:* 46 to 50 degrees F

*Frost-free period:* 90 to 110 days

*Farmland classification:* Not prime farmland

### Map Unit Composition

*Mindlebaugh and similar soils:* 90 percent

*Minor components:* 10 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*



## Description of Mindlebaugh

### Setting

*Landform:* Flood plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium

### Typical profile

*A - 0 to 10 inches:* clay loam  
*Bk - 10 to 27 inches:* loam  
*Agb - 27 to 32 inches:* loam  
*Cg - 32 to 60 inches:* loam

### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Poorly drained  
*Runoff class:* High  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.20 to 0.57 in/hr)  
*Depth to water table:* About 20 to 30 inches  
*Frequency of flooding:* Occasional  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 5 percent  
*Salinity, maximum in profile:* Nonsaline to slightly saline (0.0 to 8.0 mmhos/cm)  
*Sodium adsorption ratio, maximum in profile:* 12.0  
*Available water storage in profile:* High (about 11.4 inches)

### Interpretive groups

*Land capability classification (irrigated):* 3w  
*Land capability classification (nonirrigated):* 6w  
*Hydrologic Soil Group:* C

## Minor Components

### Mindlebaugh

*Percent of map unit:* 5 percent  
*Landform:* Flood plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

### Settlemyer

*Percent of map unit:* 3 percent  
*Landform:* Flood plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

### Kimmerling

*Percent of map unit:* 2 percent  
*Landform:* Flood plains  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

## **6108—Dangberg clay, 0 to 2 percent slopes, slightly saline-alkali**

### **Map Unit Setting**

*National map unit symbol:* pmrk  
*Elevation:* 4,640 to 4,740 feet  
*Mean annual precipitation:* 8 to 10 inches  
*Mean annual air temperature:* 46 to 50 degrees F  
*Frost-free period:* 90 to 110 days  
*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Dangberg and similar soils:* 85 percent  
*Dangberg and similar soils:* 6 percent  
*Minor components:* 9 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Dangberg**

#### **Setting**

*Landform:* Stream terraces  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium derived from mixed

#### **Typical profile**

*A - 0 to 3 inches:* clay  
*Btkn1 - 3 to 15 inches:* clay  
*Btkn2 - 15 to 25 inches:* sandy clay  
*Bkqm - 25 to 43 inches:* cemented material  
*2C - 43 to 60 inches:* coarse sand

#### **Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* 24 to 33 inches to duripan  
*Natural drainage class:* Poorly drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)  
*Depth to water table:* About 24 to 36 inches  
*Frequency of flooding:* Rare  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 5 percent  
*Salinity, maximum in profile:* Slightly saline to moderately saline (8.0 to 16.0 mmhos/cm)  
*Sodium adsorption ratio, maximum in profile:* 45.0  
*Available water storage in profile:* Low (about 3.5 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* 4w  
*Land capability classification (nonirrigated):* 6w

## Custom Soil Resource Report

*Hydrologic Soil Group: D*

*Ecological site: Sodic floodplain (R026XY013NV)*

### Description of Dangberg

#### Setting

*Landform: Stream terraces*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

*Parent material: Alluvium derived from mixed*

#### Typical profile

*H1 - 0 to 3 inches: clay*

*H2 - 3 to 25 inches: clay*

*H3 - 25 to 43 inches: cemented material*

*H4 - 43 to 60 inches: coarse sand*

#### Properties and qualities

*Slope: 0 to 2 percent*

*Depth to restrictive feature: 24 to 33 inches to duripan*

*Natural drainage class: Poorly drained*

*Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)*

*Depth to water table: About 24 to 36 inches*

*Frequency of flooding: Rare*

*Frequency of ponding: None*

*Calcium carbonate, maximum in profile: 5 percent*

*Salinity, maximum in profile: Moderately saline to strongly saline (16.0 to 32.0 mmhos/cm)*

*Sodium adsorption ratio, maximum in profile: 90.0*

*Available water storage in profile: Low (about 3.5 inches)*

#### Interpretive groups

*Land capability classification (irrigated): 6w*

*Land capability classification (nonirrigated): 7w*

*Hydrologic Soil Group: D*

*Ecological site: Sodic floodplain (R026XY013NV)*

### Minor Components

#### Mindlebaugh

*Percent of map unit: 3 percent*

*Landform: Flood plains*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

#### Dangberg

*Percent of map unit: 3 percent*

*Landform: Terraces*

*Down-slope shape: Convex*

*Across-slope shape: Convex*

*Ecological site: Sodic floodplain (R026XY013NV)*

#### Ormsby

*Percent of map unit: 3 percent*

*Landform: Stream terraces*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

## **6109—Dangberg clay, 0 to 2 percent slopes, strongly saline-alkali**

### **Map Unit Setting**

*National map unit symbol:* pmrl  
*Elevation:* 4,640 to 4,740 feet  
*Mean annual precipitation:* 8 to 10 inches  
*Mean annual air temperature:* 46 to 50 degrees F  
*Frost-free period:* 90 to 110 days  
*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Dangberg and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Dangberg**

#### **Setting**

*Landform:* Stream terraces  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium derived from mixed

#### **Typical profile**

*A - 0 to 3 inches:* clay  
*Btkn1 - 3 to 15 inches:* clay  
*Btkn2 - 15 to 25 inches:* sandy clay  
*Bkqm - 25 to 43 inches:* cemented material  
*2C - 43 to 60 inches:* coarse sand

#### **Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* 24 to 33 inches to duripan  
*Natural drainage class:* Poorly drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)  
*Depth to water table:* About 24 to 36 inches  
*Frequency of flooding:* Rare  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 5 percent  
*Salinity, maximum in profile:* Moderately saline to strongly saline (16.0 to 32.0 mmhos/cm)  
*Sodium adsorption ratio, maximum in profile:* 90.0  
*Available water storage in profile:* Low (about 3.5 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* 6w  
*Land capability classification (nonirrigated):* 7w

## Custom Soil Resource Report

*Hydrologic Soil Group: D*

*Ecological site: Sodic floodplain (R026XY013NV)*

### Minor Components

#### Mindlebaugh

*Percent of map unit: 6 percent*

*Landform: Flood plains*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

#### Dangberg

*Percent of map unit: 4 percent*

*Landform: Terraces*

*Down-slope shape: Convex*

*Across-slope shape: Convex*

*Ecological site: Sodic floodplain (R026XY013NV)*

#### Voltaire

*Percent of map unit: 3 percent*

*Landform: Swales*

*Down-slope shape: Convex*

*Across-slope shape: Convex*

*Ecological site: Sodic floodplain (R026XY013NV)*

#### Ormsby

*Percent of map unit: 2 percent*

*Landform: Stream terraces*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

### 6110—Dangberg clay, 0 to 2 percent slopes, wet

#### Map Unit Setting

*National map unit symbol: pmrm*

*Elevation: 4,640 to 4,740 feet*

*Mean annual precipitation: 8 to 10 inches*

*Mean annual air temperature: 46 to 50 degrees F*

*Frost-free period: 90 to 110 days*

*Farmland classification: Not prime farmland*

#### Map Unit Composition

*Dangberg and similar soils: 90 percent*

*Minor components: 10 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Dangberg

##### Setting

*Landform: Terraces*

*Down-slope shape: Convex*

## Custom Soil Resource Report

*Across-slope shape:* Convex

*Parent material:* Alluvium derived from mixed

### Typical profile

*A - 0 to 3 inches:* clay

*Btkn1 - 3 to 15 inches:* clay

*Btkn2 - 15 to 25 inches:* sandy clay

*Bkqm - 25 to 43 inches:* cemented material

*2C - 43 to 60 inches:* coarse sand

### Properties and qualities

*Slope:* 0 to 2 percent

*Depth to restrictive feature:* 24 to 33 inches to duripan

*Natural drainage class:* Poorly drained

*Runoff class:* Very high

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)

*Depth to water table:* About 12 to 24 inches

*Frequency of flooding:* Occasional

*Frequency of ponding:* None

*Calcium carbonate, maximum in profile:* 5 percent

*Salinity, maximum in profile:* Slightly saline to moderately saline (8.0 to 16.0 mmhos/cm)

*Sodium adsorption ratio, maximum in profile:* 45.0

*Available water storage in profile:* Low (about 3.5 inches)

### Interpretive groups

*Land capability classification (irrigated):* 6w

*Land capability classification (nonirrigated):* 7w

*Hydrologic Soil Group:* D

*Ecological site:* Sodic floodplain (R026XY013NV)

### Minor Components

#### Dangberg

*Percent of map unit:* 5 percent

*Landform:* Stream terraces

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Ecological site:* Sodic floodplain (R026XY013NV)

#### Ormsby

*Percent of map unit:* 5 percent

## 6532—Ormsby gravelly loamy coarse sand, 0 to 2 percent slopes

### Map Unit Setting

*National map unit symbol:* pmnq

*Elevation:* 4,650 to 4,750 feet

*Mean annual precipitation:* 8 to 10 inches

*Mean annual air temperature:* 48 to 52 degrees F



## Custom Soil Resource Report

*Frost-free period:* 90 to 110 days

*Farmland classification:* Not prime farmland

### Map Unit Composition

*Ormsby and similar soils:* 95 percent

*Minor components:* 5 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Ormsby

#### Setting

*Landform:* Stream terraces

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Alluvium derived from granite

#### Typical profile

*Ap - 0 to 7 inches:* gravelly loamy coarse sand

*A - 7 to 16 inches:* gravelly loamy coarse sand

*C - 16 to 60 inches:* gravelly coarse sand

#### Properties and qualities

*Slope:* 0 to 2 percent

*Depth to restrictive feature:* More than 80 inches

*Natural drainage class:* Moderately well drained

*Runoff class:* Very low

*Capacity of the most limiting layer to transmit water (Ksat):* High (1.98 to 5.95 in/hr)

*Depth to water table:* About 36 to 60 inches

*Frequency of flooding:* Rare

*Frequency of ponding:* None

*Calcium carbonate, maximum in profile:* 1 percent

*Salinity, maximum in profile:* Nonsaline to very slightly saline (2.0 to 4.0 mmhos/cm)

*Sodium adsorption ratio, maximum in profile:* 5.0

*Available water storage in profile:* Very low (about 3.0 inches)

#### Interpretive groups

*Land capability classification (irrigated):* 4w

*Land capability classification (nonirrigated):* 7w

*Hydrologic Soil Group:* A

*Ecological site:* Dry meadow (R026XY055NV)

### Minor Components

#### Ophir

*Percent of map unit:* 5 percent

*Landform:* Stream terraces

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Ecological site:* Wet meadow 10-14 p.z. (R026XY003NV)

# References

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- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States.
- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_054262](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262)
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053577](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577)
- Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053580](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580)
- Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2\\_053374](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374)
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelpdb1043084>

# PHOTOVOLTAIC PROPERTY

GOOGLE EARTH - APRIL 2014





Carson River Claims 92 (Portion), 95, 97, 100 (Portion), 101,  
227-230, 427-432, 588, 589, 595, 596, 651 & 653  
Sections 24, 25 & 36, and Portions of Sections 13, 14, 23, 26 & 35, T 13 N, R 19 E, MDB & M.  
Section 19, and Portions of Sections 17, 18, 20, 30 & 31, T 13 N, R 20 E, MDB & M.

CLAIM 92 (Portion)

PARCEL	AREA (Ac.)
23-570-10	188.90
23-570-11	
23-570-15	
23-570-18	
TOTAL	= 188.90 ac

CLAIM 95

PARCEL	AREA (Ac.)
17-190-54	
17-190-49	284.72
17-190-50	
17-190-51	
17-190-52	
23-570-04	
23-570-05	488.81
23-570-08	
23-570-07	
23-570-09	
23-570-10	
U.S. 395	12.97
TOTAL	= 784.50 ac

CLAIM 97

PARCEL	AREA (Ac.)
17-190-45	
17-190-46	204.26
17-190-47	
17-190-48	
23-010-44	252.23
23-570-01	
23-570-02	
23-570-03	
U.S. 395	14.21
TOTAL	= 539.70 ac

CLAIM 100 (Portion)

PARCEL	AREA (Ac.)
23-570-10	
23-570-12	168.90
23-570-13	
TOTAL	= 168.90 ac

CLAIM 101

PARCEL	AREA (Ac.)
23-050-04	78.00
TOTAL	= 78.00 ac

CLAIM 227

PARCEL	AREA (Ac.)
17-190-18	5.38
17-190-36	149.05
17-190-37	101.83
17-190-38	0.80
17-190-55	1.18
43813	88.00
TOTAL	= 318.00 ac

CLAIM 228

PARCEL	AREA (Ac.)
17-190-04	381.82
17-190-16	8.66
17-190-17	
17-190-35	
17-190-40	
17-190-41	1099.05
17-190-43	
17-190-44	
17-190-53	
17-190-54	
17-190-55	
17-190-56	
17-190-57	
17-190-58	
17-190-59	
17-190-64	
17-190-65	11.25
TOTAL	= 1683.00 ac

CLAIM 229

PARCEL	AREA (Ac.)
17-190-04	1.00
TOTAL	= 1.00 ac

CLAIM 230

PARCEL	AREA (Ac.)
17-190-60	
17-190-61	
17-190-62	105.00
17-190-63	
17-190-64	
TOTAL	= 105.00 ac

CLAIM 427

PARCEL	AREA (Ac.)
43814-43817	200.00
TOTAL	= 200.00 ac

CLAIM 428

PARCEL	AREA (Ac.)
17-190-41	
17-190-42	
17-190-43	
17-190-44	
17-190-45	
17-190-46	
17-190-47	
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17-190-92	
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17-190-94	
17-190-95	
17-190-96	
17-190-97	
17-190-98	
17-190-99	
17-190-100	
TOTAL	= 507.00 ac

CLAIM 429

PARCEL	AREA (Ac.)
17-190-47	
17-190-48	
17-190-49	
17-190-50	
17-190-51	
17-190-52	
TOTAL	= 180.00 ac

CLAIM 430

PARCEL	AREA (Ac.)
17-190-60	180.00
17-190-62	
TOTAL	= 180.00 ac

CLAIM 431

PARCEL	AREA (Ac.)
17-190-58	
17-190-59	
17-190-60	
17-190-61	
17-190-62	
17-190-63	
17-190-64	
TOTAL	= 97.00 ac

CLAIM 432

PARCEL	AREA (Ac.)
17-190-47	
17-190-48	
17-190-49	
17-190-50	
17-190-51	
17-190-52	
TOTAL	= 60.00 ac

CLAIM 588

PARCEL	AREA (Ac.)
17-190-04	245.00
TOTAL	= 245.00 ac

CLAIM 589

PARCEL	AREA (Ac.)
17-190-04	13.30
TOTAL	= 13.30 ac

CLAIM 595

PARCEL	AREA (Ac.)
17-190-04	64.88
TOTAL	= 64.88 ac

CLAIM 596

PARCEL	AREA (Ac.)
17-190-04	15.00
TOTAL	= 15.00 ac

CLAIM 651

PARCEL	AREA (Ac.)
17-190-04	58.00
TOTAL	= 58.00 ac

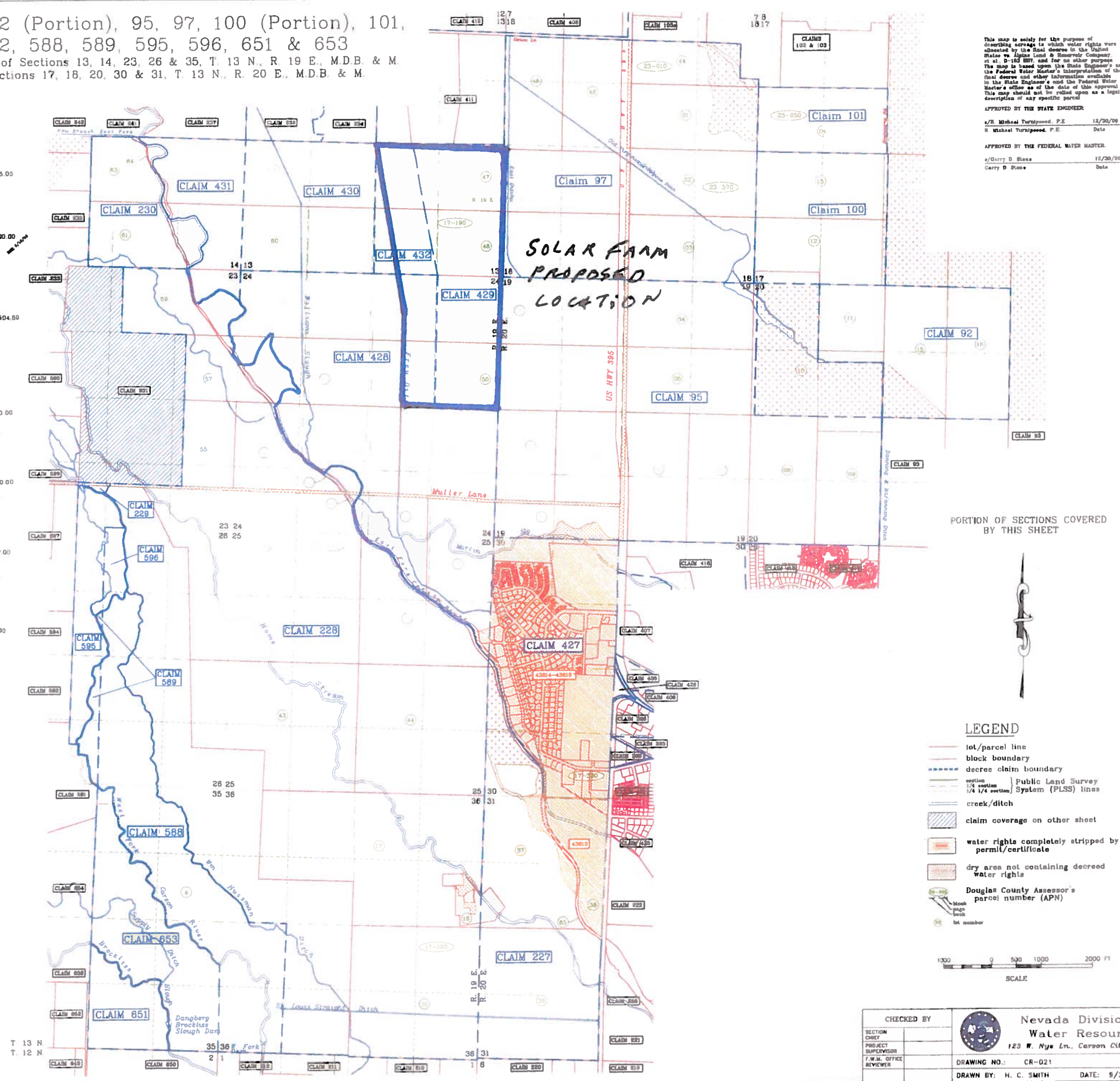
CLAIM 653

PARCEL	AREA (Ac.)
17-190-04	140.00
TOTAL	= 140.00 ac

NOTES

1. A portion of claim 588 and all of claim 589 has no alternate right from a wood box in the East bank of the Carson River in the extreme SE corner of the SE1/4 Sec. 26, T 13 N, R 19 E.

T 13 N  
T 12 N



This map is solely for the purpose of describing acreage to which water rights were allocated by the final decree in the United States vs. Light Land & Resources Company, et al. D-108 BTT, and for no other purpose. The map is based upon the State Engineer's and the Federal Water Master's interpretation of the final decree and other information available in the State Engineer's and the Federal Water Master's offices as of the date of this approval. This map should not be relied upon as a legal description of any specific parcel.

APPROVED BY THE STATE ENGINEER:

s/R. Michael Turnipseed, P.E. 12/30/09  
R. Michael Turnipseed, P.E. Date

APPROVED BY THE FEDERAL WATER MASTER:


s/Garry D. Biese 12/30/09  
Garry D. Biese Date

PORTION OF SECTIONS COVERED BY THIS SHEET

LEGEND

- lot/parcel line
- block boundary
- decree claim boundary
- section lines
- 1/4 section
- Public Land Survey System (PLSS) lines
- creek/ditch
- claim coverage on other sheet
- water rights completely stripped by permit/certificate
- dry area not containing decreed water rights
- Douglas County Assessor's parcel number (APN)
- lot number



CHECKED BY	 Nevada Division of Water Resources 123 W. Nye Ln., Carson City NV 89710
SECTION CHIEF	
PROJECT SUPERVISOR	
REVIEWER	
DRAWING NO.	CR-021
DRAWN BY	H. C. SMITH
DATE	9/23/07

# Place of Use Information

Application: 429DCR | Status: DECREED | Certificate: None | [Start new search](#)

## Acresage Data

Total Acres Irrigated:	180	Use Units:
------------------------	-----	------------

## Remarks

None
------

## Place of Use Data

QQ	Q	Section	Township	Range	BM	Acres	APN	County
	SE	13	13N	19E	MD	100.00		
E2	NE	24	13N	19E	MD	80.00		

## Place of Use Information

Application: 432DCR | Status: DECREED | Certificate: None | [Start new search](#)

### Acresage Data

Total Acres Irrigated: 60 Use Units:

### Remarks

None

### Place of Use Data

QQ	Q	Section	Township	Range	BM	Acres	APN	County
	SE	13	13N	19E	MD	60.00		



## Place of Use Information

Application: 428DCR | Status: DECREED | Certificate: None | [Start new search](#)

### Acreage Data

Total Acres Irrigated: 504.89 Use Units:

### Remarks

None

### Place of Use Data

QQ	Q	Section	Township	Range	BM	Acres	APN	County
W2	NE	24	13N	19E	MD	80.00		
	NW	24	13N	19E	MD	135.00		
	SE	24	13N	19E	MD	160.00		
	SW	24	13N	19E	MD	62.00		
	NE	25	13N	19E	MD	67.89		

## Agricultural Economic Evaluation of the 260 acre Parks Property proposed for the Photovoltaic Farm.

### Assumptions

Based on attached soils and water right information approximately 20% of the property has low productivity due to saline/alkali soil conditions and inadequate irrigation. The remaining property has soils that when irrigated are productive with the majority of the productive area delineated as a Capability Class 3W. The classification indicates some agricultural limitation and a water table at 2 feet. Additionally due to two sources of irrigation the more productive areas are irrigated effectively. The best soils in Carson Valley are rate Capability Class 2. On the better soils in Carson Valley the rule of thumb is will take 2 acres to provide the necessary feed to raise one cow/calf for a year. On my adjacent 30 acre property with similar soils but much less irrigation, I annually graze the area at a 3 animal units per month/acre rate. Current prices average approximately \$2.75/pound on 500# heifers and \$2.90/pound on 500# steer calves.

Animal Unit Month = 900 #s of dry matter/acre.  
Current lease price per AUM = \$40.00/month

Based on the above the assumption for the Parks Property annual animal unit capacity would be calculated as follows.

260 acres total  
20% of area low productivity  
208 acres at 3 acres per animal unit/year = 69 animal units  
52 acres at 15 acres per animal unit/year = 3 animal units  
71 animal units

### Assuming Parks Livestock owns the cows

71 cows with a 90% calf crop = 64 calves at 500 # weaning weight.  
28 heifers\* at \$2.75/pound = \$38,500  
32 steers at \$2.90/pound = \$46,400  
**\$84,900 gross per year**

\*4 heifers held back as replacements assuming a 5% death loss/year

### Assuming Parks Livestock leases the pasture.

3 AUMS/acre on 208 acres = 624 AUMs  
0.5 AUMS/acre on 52 acres = 26 AUMs  
**648 AUMs X \$40.00 = \$25,920 gross on lease**

Steve Walker\*  
Walker & Associates

**\*Approximately 10 years ago Steve Walker was contracted by Parks Land and Livestock to due an analysis of AUM costs in Carson Valley.**

Your region is set to California ▼

For outages and emergencies, call 1-844-245-6868

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## Liberty Utilities Officially Launches Solar RFP

**February 6, 2015**

Liberty Utilities is seeking solar projects within NV Energy's Balancing Authority. Liberty will refer to the CPUC's Project Viability Calculator as a model for project ranking. Therefore, Liberty anticipates that the successful bidder will have extensive prior experience with utility-scale solar, will have established site control, will already have an interconnection agreement in place or demonstrate why the SGIA/LGIA process will not hinder the project schedule, and can demonstrate a very high probability that all required permits will be in place for a Q4 2016 commercial operations date. The minimum project size for this RFP is 20MW AC. Bids are due February 27th and the award is expected to be the week of March 23rd. Registration for the RFP closes Friday, February 20th at 5:00 p.m. PST.

**To register & participate in the Liberty Utilities Solar RFP, please follow the instructions below.**

1. Bidders shall send an email titled "RFP Respondent for [your-company-name]" to [travis.johnson@libertyutilities.com](mailto:travis.johnson@libertyutilities.com) that contains two items:
  - a. a one-page PDF summary of the bidder's qualifications and proposed project location(s)
  - b. the name/email address of one person from the bidder's organization to be granted access to the Kiteworks site. Only one designated contact will be accepted.
2. If your project & team meets/exceeds the criteria detailed above, by the following business day, your designated person will receive an activation link via email (from [no-reply@kiteworks.com](mailto:no-reply@kiteworks.com)) that prompts them to enter a password. This email address and password will allow access to the RFP documents. Note: Initially, only one access license will be provided per company.
3. Two additional emails from [no-reply@kiteworks.com](mailto:no-reply@kiteworks.com) will

**List of Inland Shore Birds and Ducks Commonly seen on Ponded area immediately south of the Walker residence at 661 Genoa Lane**

**Inland Shore Birds**

Wilsons Phalarope  
Wilsons Snipe  
Blacked-Necked Stilt  
Long-Billed Curlew  
Willet  
Killdeer  
American Avocet  
Great Blue Heron  
Night Heron  
Snow Egret  
Cattle Egret  
Sandhill Crane  
White-Faced Ibis

**Ducks/Geese/Swans**

Cinnamon Teal  
Green Winged Teal  
Gadwall  
Northern Shoveler  
Canadian Geese  
Tundra Swans  
Mallards

NV Dept of Taxation - Taxation registration will be unavailable during scheduled maintenance Sunday, April 5th 8 am - noon PT.

# Nevada Business Search

\* Includes Trademarks, Trade Names, Service Marks, Reserved Names & Business Licenses

\* Search by:

Entity Name

Greenstone Renewables, LLC

☐ Include Phonetic Matches:

Sort By:

Relevance

☒ Descending ☐ Ascending order

Search Tips

Search

No Results Found

Disclaimer ()





## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Nevada Fish and Wildlife Office  
1340 FINANCIAL BOULEVARD, SUITE 234  
RENO, NV 89502  
PHONE: (775)861-6300 FAX: (775)861-6301  
URL: [www.fws.gov/nevada/](http://www.fws.gov/nevada/)



Consultation Code: 08ENV00-2015-SL1-0282

April 03, 2015

Event Code: 08ENV00-2015-E-00243

Project Name: Minden Sunrise Solar

**Subject:** List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

### To Whom It May Concern:

The attached species list indicates threatened, endangered, proposed, and candidate species and designated or proposed critical habitat that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act of 1973, as amended (ESA, 16 U.S.C. 1531 *et seq.*), for projects that are authorized, funded, or carried out by a Federal agency. Candidate species have no protection under the ESA but are included for consideration because they could be listed prior to the completion of your project. Consideration of these species during project planning may assist species conservation efforts and may prevent the need for future listing actions. For additional information regarding species that may be found in the proposed project area, visit <http://www.fws.gov/nevada/es/ipac.html>.

The purpose of the ESA is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the ESA and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment

be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Guidelines for preparing a Biological Assessment can be found at: [http://www.fws.gov/midwest/endangered/section7/ba\\_guide.html](http://www.fws.gov/midwest/endangered/section7/ba_guide.html).

If a Federal action agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this species list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally listed, proposed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally, as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation, for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the attached list.

The Nevada Fish and Wildlife Office (NFWO) no longer provides species of concern lists. Most of these species for which we have concern are also on the Animal and Plant At-Risk Tracking List for Nevada (At-Risk list) maintained by the State of Nevada's Natural Heritage Program (Heritage). Instead of maintaining our own list, we adopted Heritage's At-Risk list and are partnering with them to provide distribution data and information on the conservation needs for at-risk species to agencies or project proponents. The mission of Heritage is to continually evaluate the conservation priorities of native plants, animals, and their habitats, particularly those most vulnerable to extinction or in serious decline. In addition, in order to avoid future conflicts, we ask that you consider these at-risk species early in your project planning and explore management alternatives that provide for their long-term conservation.

For a list of at-risk species by county, visit Heritage's website (<http://heritage.nv.gov>). For a specific list of at-risk species that may occur in the project area, you can obtain a data request form from the website ([http://heritage.nv.gov/get\\_data](http://heritage.nv.gov/get_data)) or by contacting the Administrator of Heritage at 901 South Stewart Street, Suite 5002, Carson City, Nevada 89701-5245, (775) 684-2900. Please indicate on the form that your request is being obtained as part of your coordination with the Service under the ESA. During your project analysis, if you obtain new information or data for any Nevada sensitive species, we request that you provide the information to Heritage at the above address.

Furthermore, certain species of fish and wildlife are classified as protected by the State of Nevada (<http://www.leg.state.nv.us/NAC/NAC-503.html>). You must first obtain the appropriate license, permit, or written authorization from the Nevada Department of Wildlife (NDOW) to

take, or possess any parts of protected fish and wildlife species. Please visit <http://www.ndow.org> or contact NDOW in northern Nevada (775) 688-1500, in southern Nevada (702) 486-5127, or in eastern Nevada (775) 777-2300.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the Service's wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

The Service's Pacific Southwest Region developed the *Interim Guidelines for the Development of a Project Specific Avian and Bat Protection Plan for Wind Energy Facilities* (Interim Guidelines). This document provides energy facility developers with a tool for assessing the risk of potential impacts to wildlife resources and delineates how best to design and operate a bird- and bat-friendly wind facility. These Interim Guidelines are available upon request from the NFWO. The intent of a Bird and Bat Conservation Strategy is to conserve wildlife resources while supporting project developers through: (1) establishing project development in an adaptive management framework; (2) identifying proper siting and project design strategies; (3) designing and implementing pre-construction surveys; (4) implementing appropriate conservation measures for each development phase; (5) designing and implementing appropriate post-construction monitoring strategies; (6) using post-construction studies to better understand the dynamics of mortality reduction (e.g., changes in blade cut-in speed, assessments of blade "feathering" success, and studies on the effects of visual and acoustic deterrents) including efforts tied into Before-After/Control-Impact analysis; and (7) conducting a thorough risk assessment and validation leading to adjustments in management and mitigation actions.

The template and recommendations set forth in the Interim Guidelines were based upon the Avian Powerline Interaction Committee's Avian Protection Plan template (<http://www.aplic.org/>) developed for electric utilities and modified accordingly to address the unique concerns of wind energy facilities. These recommendations are also consistent with the Service's wind energy guidelines. We recommend contacting us as early as possible in the planning process to discuss the need and process for developing a site-specific Bird and Bat Conservation Strategy.

The Service has also developed guidance regarding wind power development in relation to prairie grouse leks (sage-grouse are included in this). This document can be found at: [http://www.fws.gov/southwest/es/Oklahoma/documents/te\\_species/wind%20power/prairie%20gr](http://www.fws.gov/southwest/es/Oklahoma/documents/te_species/wind%20power/prairie%20gr)

Migratory Birds are a Service Trust Resource. Based on the Service's conservation responsibilities and management authority for migratory birds under the Migratory Bird Treaty Act of 1918, as amended (MBTA; 16 U.S.C. 703 *et seq.*), we recommend that any land clearing or other surface disturbance associated with proposed actions within the project area be timed to avoid potential destruction of bird nests or young, or birds that breed in the area. Such destruction may be in violation of the MBTA. Under the MBTA, nests with eggs or young of migratory birds may not be harmed, nor may migratory birds be killed. Therefore, we recommend land clearing be conducted outside the avian breeding season. If this is not feasible,

we recommend a qualified biologist survey the area prior to land clearing. If nests are located, or if other evidence of nesting (*i.e.*, mated pairs, territorial defense, carrying nesting material, transporting food) is observed, a protective buffer (the size depending on the habitat requirements of the species) should be delineated and the entire area avoided to prevent destruction or disturbance to nests until they are no longer active.

Guidance for minimizing impacts to migratory birds for projects involving communications towers (*e.g.*, cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

If wetlands, springs, or streams are known to occur in the project area or are present in the vicinity of the project area, we ask that you be aware of potential impacts project activities may have on these habitats. Discharge of fill material into wetlands or waters of the United States is regulated by the U.S. Army Corps of Engineers (ACOE) pursuant to section 404 of the Clean Water Act of 1972, as amended. We recommend you contact the ACOE's Regulatory Section regarding the possible need for a permit. For projects located in northern Nevada (Carson City, Churchill, Douglas, Elko, Esmeralda, Eureka, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, and Washoe Counties) contact the Reno Regulatory Office at 300 Booth Street, Room 3060, Reno, Nevada 89509, (775) 784-5304; in southern Nevada (Clark, Lincoln, Nye, and White Pine Counties) contact the St. George Regulatory Office at 321 North Mall Drive, Suite L-101, St. George, Utah 84790-7314, (435) 986-3979; or in California along the eastern Sierra contact the Sacramento Regulatory Office at 650 Capitol Mall, Suite 5-200, Sacramento, California 95814, (916) 557-5250.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

The table below outlines lead FWS field offices by county and land ownership/project type. Please refer to this table when you are ready to coordinate (including requests for section 7 consultation) with the field office corresponding to your project, and send any documentation regarding your project to that corresponding office. Therefore, the lead FWS field office may not be the office listed above in the letterhead.

**Lead FWS offices by County and Ownership/Program**

County	Ownership/Program	Species	Office Lead*
Alameda	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Alameda	All ownerships but tidal/estuarine	All	SFWO

<b>Alpine</b>	Humboldt Toiyabe National Forest	All	RFWO
<b>Alpine</b>	Lake Tahoe Basin Management Unit	All	RFWO
<b>Alpine</b>	Stanislaus National Forest	All	SFWO
<b>Alpine</b>	El Dorado National Forest	All	SFWO
<b>Colusa</b>	Mendocino National Forest	All	AFWO
<b>Colusa</b>	Other	All	By jurisdiction (see map)
<b>Contra Costa</b>	Legal Delta (Excluding ECCHCP)	All	BDFWO
<b>Contra Costa</b>	Antioch Dunes NWR	All	BDFWO
<b>Contra Costa</b>	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
<b>Contra Costa</b>	All ownerships but tidal/estuarine	All	SFWO
<b>Del Norte</b>	All	All	AFWO
<b>El Dorado</b>	El Dorado National Forest	All	SFWO
<b>El Dorado</b>	LakeTahoe Basin Management Unit		RFWO
<b>Glenn</b>	Mendocino National Forest	All	AFWO



<b>Glenn</b>	<b>Other</b>	<b>All</b>	<b>By jurisdiction (see map)</b>
<b>Humboldt</b>	All except Shasta Trinity National Forest	All	AFWO
<b>Humboldt</b>	Shasta Trinity National Forest	All	YFWO
<b>Lake</b>	Mendocino National Forest	All	AFWO
<b>Lake</b>	Other	All	By jurisdiction (see map)
<b>Lassen</b>	Modoc National Forest	All	KFWO
<b>Lassen</b>	Lassen National Forest	All	SFWO
<b>Lassen</b>	Toiyabe National Forest	All	RFWO
<b>Lassen</b>	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
<b>Lassen</b>	BLM Alturas Resource Area	All	KFWO
<b>Lassen</b>	Lassen Volcanic National Park	All (includes Eagle Lake trout on all ownerships)	SFWO
<b>Lassen</b>	All other ownerships	All	By jurisdiction (see map)
<b>Marin</b>	Tidal wetlands/marsh adjacent to	Salt marsh species, delta	BDFWO

	Bays	smelt	
<b>Marin</b>	All ownerships but tidal/estuarine	All	SFWO
<b>Mendocino</b>	Russian River watershed	All	SFWO
<b>Mendocino</b>	All except Russian River watershed	All	AFWO
<b>Modoc</b>	Modoc National Forest	All	KFWO
<b>Modoc</b>	BLM Alturas Resource Area	All	KFWO
<b>Modoc</b>	Klamath Basin National Wildlife Refuge Complex	All	KFWO
<b>Modoc</b>	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
<b>Modoc</b>	All other ownerships	All	By jurisdiction (See map)
<b>Mono</b>	Inyo National Forest	All	RFWO
<b>Mono</b>	Humboldt Toiyabe National Forest	All	RFWO
<b>Napa</b>	All ownerships but tidal/estuarine	All	SFWO
<b>Napa</b>	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
<b>Nevada</b>	Humboldt Toiyabe National Forest	All	RFWO



<b>Nevada</b>	All other ownerships	All	By jurisdiction (See map)
<b>Placer</b>	Lake Tahoe Basin Management Unit	All	RFWO
<b>Placer</b>	All other ownerships	All	SFWO
<b>Sacramento</b>	Legal Delta	Delta Smelt	BDFWO
<b>Sacramento</b>	Other	All	By jurisdiction (see map)
<b>San Francisco</b>	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
<b>San Francisco</b>	All ownerships but tidal/estuarine	All	SFWO
<b>San Mateo</b>	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
<b>San Mateo</b>	All ownerships but tidal/estuarine	All	SFWO
<b>San Joaquin</b>	Legal Delta excluding San Joaquin HCP	All	BDFWO
<b>San Joaquin</b>	Other	All	SFWO
<b>Santa Clara</b>	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
<b>Santa Clara</b>	All ownerships but tidal/estuarine	All	SFWO

<b>Shasta</b>	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
<b>Shasta</b>	Hat Creek Ranger District	All	SFWO
<b>Shasta</b>	Bureau of Reclamation (Central Valley Project)	All	BDFWO
<b>Shasta</b>	Whiskeytown National Recreation Area	All	YFWO
<b>Shasta</b>	BLM Alturas Resource Area	All	KFWO
<b>Shasta</b>	Caltrans	By jurisdiction	SFWO/AFWO
<b>Shasta</b>	Ahjumawi Lava Springs State Park	Shasta crayfish	SFWO
<b>Shasta</b>	All other ownerships	All	By jurisdiction (see map)
<b>Shasta</b>	Natural Resource Damage Assessment, all lands	All	SFWO/BDFWO
<b>Sierra</b>	Humboldt Toiyabe National Forest	All	RFWO
<b>Sierra</b>	All other ownerships	All	SFWO
<b>Siskiyou</b>	Klamath National Forest (except Ukonom District)	All	YFWO
	Six Rivers National Forest and		

<b>Siskiyou</b>	<b>Ukonom District</b>	<b>All</b>	<b>AFWO</b>
<b>Siskiyou</b>	<b>Shasta Trinity National Forest</b>	<b>All</b>	<b>YFWO</b>
<b>Siskiyou</b>	<b>Lassen National Forest</b>	<b>All</b>	<b>SFWO</b>
<b>Siskiyou</b>	<b>Modoc National Forest</b>	<b>All</b>	<b>KFWO</b>
<b>Siskiyou</b>	<b>Lava Beds National Volcanic Monument</b>	<b>All</b>	<b>KFWO</b>
<b>Siskiyou</b>	<b>BLM Alturas Resource Area</b>	<b>All</b>	<b>KFWO</b>
<b>Siskiyou</b>	<b>Klamath Basin National Wildlife Refuge Complex</b>	<b>All</b>	<b>KFWO</b>
<b>Siskiyou</b>	<b>All other ownerships</b>	<b>All</b>	<b>By jurisdiction (see map)</b>
<b>Solano</b>	<b>Suisun Marsh</b>	<b>All</b>	<b>BDFWO</b>
<b>Solano</b>	<b>Tidal wetlands/marsh adjacent to San Pablo Bay</b>	<b>Salt marsh species, delta smelt</b>	<b>BDFWO</b>
<b>Solano</b>	<b>All ownerships but tidal/estuarine</b>	<b>All</b>	<b>SFWO</b>
<b>Solano</b>	<b>Other</b>	<b>All</b>	<b>By jurisdiction (see map)</b>
<b>Sonoma</b>	<b>Tidal wetlands/marsh adjacent to San Pablo Bay</b>	<b>Salt marsh species, delta smelt</b>	<b>BDFWO</b>

<b>Sonoma</b>	All ownerships but tidal/estuarine	All	SFWO
<b>Tehama</b>	Mendocino National Forest	All	AFWO
<b>Tehama</b>	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
<b>Tehama</b>	All other ownerships	All	By jurisdiction (see map)
<b>Trinity</b>	BLM	All	AFWO
<b>Trinity</b>	Six Rivers National Forest	All	AFWO
<b>Trinity</b>	Shasta Trinity National Forest	All	YFWO
<b>Trinity</b>	Mendocino National Forest	All	AFWO
<b>Trinity</b>	BIA (Tribal Trust Lands)	All	AFWO
<b>Trinity</b>	County Government	All	AFWO
<b>Trinity</b>	All other ownerships	All	By jurisdiction (See map)
<b>Yolo</b>	Yolo Bypass	All	BDFWO
<b>Yolo</b>	Other	All	By jurisdiction (see map)
<b>All</b>	FERC-ESA	All	By jurisdiction (see map)

<b>All</b>	<b>FERC-ESA</b>	<b>Shasta crayfish</b>	<b>SFWO</b>
<b>All</b>	<b>FERC-Relicensing (non-ESA)</b>	<b>All</b>	<b>BDFWO</b>
<b>*Office Leads:</b>			
<b>AFWO=Arcata Fish and Wildlife Office</b>			
<b>BDFWO=Bay Delta Fish and Wildlife Office</b>			
<b>KFWO=Klamath Falls Fish and Wildlife Office</b>			
<b>RFWO=Reno Fish and Wildlife Office</b>			
<b>YFWO=Yreka Fish and Wildlife Office</b>			

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Minden Sunrise Solar

## Official Species List

**Provided by:**

Nevada Fish and Wildlife Office  
1340 FINANCIAL BOULEVARD, SUITE 234  
RENO, NV 89502  
(775) 861-6300  
<http://www.fws.gov/nevada/>

**Consultation Code:** 08ENV000-2015-SLI-0282

**Event Code:** 08ENV000-2015-E-00243

**Project Type:** Power Generation

**Project Name:** Minden Sunrise Solar

**Project Description:** Proposed Solar PV farm located on private farm land West of Hwy 395, North of Muller Ln and South of Genoa Ln in Minden, NV

**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Minden Sunrise Solar

**Project Location Map:**



**Project Coordinates:** MULTIPOLYGON (((-119.7941081 38.9759382, -119.7940137 38.9769357, -119.7954728 38.9770692, -119.795387 38.9804053, -119.7976229 38.9900125, -119.7882673 38.9900793, -119.7883532 38.9760016, -119.7941081 38.9759382)))

**Project Counties:** Douglas, NV





United States Department of Interior  
Fish and Wildlife Service

Project name: Minden Sunrise Solar

## Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Fishes	Status	Has Critical Habitat	Condition(s)
Lahontan cutthroat trout ( <i>Oncorhynchus clarkii henshawi</i> ) Population: Entire	Threatened		
Paiute cutthroat trout ( <i>Oncorhynchus clarkii seleniris</i> ) Population: Entire	Threatened		



United States Department of Interior  
Fish and Wildlife Service

Project name: Minden Sunrise Solar

## **Critical habitats that lie within your project area**

There are no critical habitats within your project area.



## U.S. Fish & Wildlife Service

Environmental Conservation Online System

Conserving the Nature of America

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- [Species occurrence by state](#)>
- Listed species believed to or known to occur in Nevada

## Listed species believed to or known to occur in Nevada

Notes:

- As of 02/13/2015 the data in this report has been updated to use a different set of information. Results are based on where the species is believed to or known to occur. The FWS feels utilizing this data set is a better representation of species occurrence. Note: there may be other federally listed species that are not currently known or expected to occur in this state but are covered by the ESA wherever they are found; Thus if new surveys detected them in this state they are still covered by the ESA. The FWS is using the best information available on this date to generate this list.
- This report shows listed species or populations believed to or known to occur in Nevada
- This list does not include experimental populations and similarity of appearance listings.
- This list includes species or populations under the sole jurisdiction of the National Marine Fisheries Service.
- Click on the highlighted scientific names below to view a Species Profile for each listing.

### Listed species -- 41 listings

#### Animals -- 31 listings

<a href="#">Status</a>	Species/Listing Name
E	Chub, bonytail Entire ( <a href="#">Gila elegans</a> )
E	Chub, Pahrnagat roundtail Entire ( <a href="#">Gila robusta jordani</a> )
E	Chub, Virgin River Entire ( <a href="#">Gila seminuda (=robusta)</a> )
T	Cuckoo, yellow-billed Western U.S. DPS ( <a href="#">Coccyzus americanus</a> )
E	Cui-ui Entire ( <a href="#">Chasmistes cujus</a> )
E	Dace, Ash Meadows speckled Entire ( <a href="#">Rhinichthys osculus nevadensis</a> )
E	Dace, Clover Valley speckled Entire ( <a href="#">Rhinichthys osculus oligoporus</a> )
T	Dace, desert Entire ( <a href="#">Eremichthys acros</a> )
E	Dace, Independence Valley speckled Entire ( <a href="#">Rhinichthys osculus lethoporus</a> )
E	Dace, Moapa Entire ( <a href="#">Moapa coriacea</a> )
E	Flycatcher, southwestern willow Entire ( <a href="#">Empidonax traillii extimus</a> )

E	Frog, mountain yellow-legged Northern California DPS ( <a href="#">Rana muscosa</a> )
E	Frog, mountain yellow-legged Southern California DPS ( <a href="#">Rana muscosa</a> )
T	Naucorid, Ash Meadows Entire ( <a href="#">Ambrysus amargosus</a> )
E	Poolfish, Pahrump Entire ( <a href="#">Empetrichthys latos</a> )
E	Pupfish, Ash Meadows Amargosa Entire ( <a href="#">Cyprinodon nevadensis mionectes</a> )
E	Pupfish, Devils Hole Entire ( <a href="#">Cyprinodon diabolis</a> )
E	Pupfish, Warm Springs Entire ( <a href="#">Cyprinodon nevadensis pectoralis</a> )
E	Rail, Yuma clapper U.S.A. only ( <a href="#">Rallus longirostris yumanensis</a> )
E	Skipper, Carson wandering U.S.A. (NV, CA) ( <a href="#">Pseudocopaodes eunus obscurus</a> )
T	Spinedace, Big Spring Entire ( <a href="#">Lepidomeda mollispinis pratensis</a> )
E	Spinedace, White River Entire ( <a href="#">Lepidomeda albivallis</a> )
E	Springfish, Hiko White River Entire ( <a href="#">Crenichthys baileyi grandis</a> )
T	Springfish, Railroad Valley Entire ( <a href="#">Crenichthys nevadae</a> )
E	Springfish, White River Entire ( <a href="#">Crenichthys baileyi baileyi</a> )
E	Sucker, razorback Entire ( <a href="#">Xyrauchen texanus</a> )
T	Sucker, Warner Entire ( <a href="#">Catostomus warnerensis</a> )
T	Tortoise, desert U.S.A., except in Sonoran Desert ( <a href="#">Gopherus agassizii</a> )
T	Trout, bull U.S.A., conterminous, lower 48 states ( <a href="#">Salvelinus confluentus</a> )
T	Trout, Lahontan cutthroat Entire ( <a href="#">Oncorhynchus clarkii henshawi</a> )
E	Woundfin Entire, except EXPN ( <a href="#">Plagopterus argentissimus</a> )

## Plants -- 10 listings



Status	Species/Listing Name
T	Blazingstar, Ash Meadows ( <a href="#">Mentzelia leucophylla</a> )
E	Buckwheat, steamboat ( <a href="#">Eriogonum ovalifolium var. williamsiae</a> )
T	Centaury, spring-loving ( <a href="#">Centaureum namophilum</a> )
T	Gumplant, Ash Meadows ( <a href="#">Grindelia fraxinipratensis</a> )
T	Ivesia, Ash Meadows ( <a href="#">Ivesia kingii var. eremica</a> )
T	Ivesia, Webber ( <a href="#">Ivesia webberi</a> )
T	Ladies'-tresses, Ute ( <a href="#">Spiranthes diluvialis</a> )
T	Milk-vetch, Ash meadows ( <a href="#">Astragalus phoenix</a> )
E	Niterwort, Amargosa ( <a href="#">Nitrophila mohavensis</a> )
T	Sunray, Ash Meadows ( <a href="#">Enceliopsis nudicaulis var. corrugata</a> )

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## Douglas County Planning Commission

### AGENDA ACTION SHEET

1. **Title:** For possible action. Discussion on Appeal (AP) 15-003, an appeal by Franklin "Harry" Ernst of staff's approval for DA 14-047, a major design review for Esplanade at the Ranch located at the south west corner of Gilman Avenue and Heybourne Road (APN 1320-33-210-069) in the MFR/PD zoning district and within the Minden-Gardnerville Community Plan. The appeal is regarding compliance with the minimum standards for development of the site pursuant to Chapter 20 of the Douglas County Code, consistency with the Douglas County Design Guidelines for Multi-Family Development, and the safety of the circulation system.
2. **Recommended Motion:** Affirm the decision of staff and deny the appeal, upholding staff's recommendation for approval of a Major Design Review for a 41 unit multi-family housing project based on the ability to make all of the required findings per section 20.614.040 and the information contained in this staff report.
3. **Prepared by:** Emery J. Papp, Senior Planner
4. **Meeting Date:** April 14, 2015                      **Time Required:** 30 Minutes
5. **Agenda:** Public Hearing
6. **Background Information:** The Appellant is seeking modification of the Site Plan for a Major Design Review of Esplanade at the ranch (ref. DA 14-047). Mr. Franklin "Harry" Ernst filed a written appeal of staff's decision to approve the Major Design review on March 2, 2015, because the subject project will adversely affect his property values and his enjoyment of the neighborhood. At the conclusion of Mr. Ernst's letter, he states that approval of this project has created or will create hazards to people, and that County standards have been put into effect to prohibit the creation of hazards. The Appellant's proposed solution is to remove buildings 13 and 14 and eliminate the entrances to and from Lasso Lane.
7. **Committee/Other Agency Review:** N/A
8. **Reviewed by:**  
 Planning Manager                       Community Development Director
9. **Commission Action:**  

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modifications
<input type="checkbox"/> Denied	<input type="checkbox"/> Deferred
<input type="checkbox"/> Other	

Agenda Item # 3





## COMMUNITY DEVELOPMENT

1594 Esmeralda Avenue, Minden, Nevada 89423

Mimi Moss

COMMUNITY DEVELOPMENT DIRECTOR

775-782-6201

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Planning Division  
Engineering Division  
Building Division  
Code Enforcement

### MEMORANDUM

Date: April 14, 2015

To: Douglas County Planning Commission

From: Emery J. Papp, Senior Planner, Direct Line 775-782-9012

Subject: Appeal 15-003; Appeal of the Community Development Director approval of DA 14-047, a request for a Major Design Review for a Multi-Family Development at the Ranch at Gardnerville.

#### I. REQUEST

For possible action. Discussion on Appeal (AP) 15-003, an appeal by Franklin "Harry" Ernst of staff's approval for DA 14-047, a major design review for Esplanade at the Ranch located at the south west corner of Gilman Avenue and Heybourne Road (APN 1320-33-210-069) in the MFR/PD zoning district and within the Minden-Gardnerville Community Plan. The appeal is regarding compliance with the minimum standards for development of the site pursuant to Chapter 20 of the Douglas County Code, consistency with the Douglas County Design Guidelines for Multi-Family Development, and the safety of the circulation system.

#### II. RECOMMENDATION

Affirm the decision of staff and deny the appeal, upholding staff's recommendation for approval of a Major Design Review for a 41 unit multi-family housing project based on the ability to make all of the required findings per section 20.614.040 and the information contained in this staff report.

#### III. BACKGROUND

The Applicant for the Esplanade at the Ranch project has sought and received staff approval of a Major Design Review to construct a 41 unit multi-family residential project in the MFR (Multi-Family Residential)/PD (Planned Development) zoning district within the Receiving Area of the Minden/Gardnerville Community Plan. The project was approved on February 13, 2015.

Pursuant to DCC Section 20.28.020 C, anyone with standing may file an appeal of staff's decision within 10 working days. The Appellant, Mr. Franklin "Harry" Ernst filed a written appeal of staff's decision to approve the Major Design review on March 2, 2015, stating that as a resident who had received prior notice of the project, he feels the subject project will adversely affect his property values and his enjoyment of the neighborhood. At the conclusion of the Appellant's letter, he states

that approval of this project has created or will create hazards to people, and that County standards have been put into effect to prohibit the creation of hazards. The Appellant's proposed solution is to remove buildings 13 and 14 and eliminate the entrances to and from Lasso Lane. In the Appellant's words, *"I believe the proposed project applicant is trying to do too much. There is not enough room for everything proposed."*

#### Discussion

In the Appellant's justification letter, he cites 8 basic issues he identifies as problems. These are restated below:

1. The "private driveways." Thru traffic is permitted between Gilman Avenue and Lasso Lane creating a hazard. Traffic from the project will use Lasso Lane as a connector loop between Cinch Trail back to Concho Drive, creating a hazard.
2. Potential blind corners are being created at town street intersections and project curb cuts.
3. Cinch Trail has now become an alley.
4. "Private driveways" are narrow, substandard.
5. Parking: is no-longer near residential units on Cinch Trail, and residents are encouraged to park on surrounding town streets creating a hazard for pedestrians.
6. Sidewalks are missing, create hazardous conditions for pedestrians.
7. Fencing does not provide privacy and security for residents along the Town streets.
8. Building sizes, shapes, and massing will be imposing along the town streets, especially Heybourne Road. They do not look like the surrounding residential homes.

The nature of the appeal can be further compartmentalized into three broader categories: A) compliance with the minimum standards for development of the site pursuant to Chapter 20 of the Douglas County Code, B) consistency with the Douglas County Design Guidelines for Multi-Family Development, and C) the safety of the circulation system.

#### Compliance with Minimum Standards for Development

The subject site is zoned for Multi-Family Residential development, with this zoning having been applied to the site since 2004 when the underlying (PD) Planned Development 04-008 was approved. There have been no changes to the development standards for multi-family residential since the PD was adopted. A Table found in Section 20.656.010 identifies the development standards for all residential zones. The maximum density for projects located in the MFR zone is 16 dwelling units per acre. The size of the parcel is 2.91 acres, which could potentially yield up to 46 units. The project proposes 41 units.

The maximum height for structures in any residential zone is 35 feet. This applies to multi-family projects and single-family homes. The minimum building separation requirement in any of the residential zones is 10 feet. These standards are met in the proposed project. The proposed project also meets all of the lot size, lot width, lot depth, and setback requirements for the MFR zone. Therefore, the development standards for compliance with the MFR zone have been met.

#### Consistency with Design Guidelines for Multi-Family Development

The Multi-Family Design Guidelines identify suggested methods in which to provide a better comprehensive, overall design scheme for large-scale multi-family projects. The subject site is relatively small and the Applicant stated it was his intention to try to make a multi-family project fit into the neighborhood scheme, rather than to situate a larger, more traditional, clustered apartment



project where units would have been consolidated into larger, more imposing buildings. Such a scenario would have left more opportunity for common open space or amenities, however, the Applicant chose an approach where the scaling and massing of the triplexes more closely resembled the surrounding neighborhood. The project is surrounded by existing single-family homes which are single-story and two-story; unimproved residential land; and drainage facilities. Each of the units within the proposed project contain elements which mimic the look of single-family homes. This is an attempt to make the larger triplexes more closely resemble large single-family homes with elements such as enclosed garages and privacy fencing to blend into the built environment. The project has been designed to provide a variety of building orientations and setbacks facing public streets, variations on elevations, roof plans, color schemes and fencing to minimize visual effects on the neighborhood. In addition, all ground floor units have a minimum of 150 square feet of outdoor, fenced private space with one unit having 1,188 square feet of private space. All second floor units have balconies or patios which must be a minimum of 75 square feet. Additionally, the project is conditioned to comply with the County's landscaping and lighting standards to further ensure compatibility with adjacent development. Furthermore, the project is conditioned to comply with conditions of approval placed on the project by the Town of Gardnerville. The Town has conditioned the project to identify refuse pick up locations, drainage ditch improvements, stop signs, street signs and light poles are to match town standards, provide a bike lane transition on Gilman Avenue, provide information on catch basin inserts, identify location for mail delivery, identify the construction route, and other conditions as included in Attachment 5.

The Appellant indicated concern that the height of perimeter fencing along Lasso Lane and Heybourne Street is not tall enough to provide privacy to residents of the project or to surrounding properties. Regarding privacy issues, the fence height along Heybourne Road is restricted by Section 20.690.030 F of the Code to 3 feet or less for solid fencing, or 4 feet or less for view fencing, so any product placed on the property would be subject to the same fence requirements and height limitations. Internal to the site, privacy fencing may be taller to address privacy issues.

The project has also been conditioned for several design issues mentioned by the Appellant, including the following conditions:

3. *The applicant must submit revised site plans for review and approval. The plans must be in conformance with the Douglas County Code (DCC), Title 20, and the Douglas County Design Criteria and Improvement Standards (DCDCIS) including the following project specific items:*
  - a. *Final landscape and irrigation plans stamped by a licensed architect, landscape architect, landscape contractor, or civil engineer. Landscape and irrigation plans must be consistent with both the DCDCIS and DCC, Title 20, Chapter 20.694 Landscape Standards, and Section 20.692.080 (D) Parking lot landscape standards.*
  - b. *Identify the location and dimensions of all exterior utility meters, transformers, satellite dishes, HVAC equipment, solar panels, and other utility or mechanical equipment.*
    - i) *All equipment installed on the ground must be screened with dense landscaping and/or approved solid fencing.*
  - c. *Bike rack location and detail plan. A minimum of 8 bicycle rack spaces must be provided in accordance with DCC, Title 20, Section 20.692.080 (E) Bicycle parking.*
4. *The applicant must submit revised architectural plans for review and approval. The plans must be in conformance with the Douglas County Code (DCC), Title 20, and Douglas County*

*Design Criteria and Improvement Standards (DCDCIS) including the following project-specific items:*

- a. Identify the location and dimensions of all exterior utility meters, transformers, roof-top equipment, roof access ladders, satellite dishes, HVAC equipment, solar panels, and other utility or mechanical equipment.*
  - i) All roof-mounted or elevated equipment must be fully screened from all sides of the building by means of parapet walls that are at least as high as the top of the units or other acceptable architectural elements.*
- 5. The applicant must submit a lighting plan in conformance with the Douglas County Code (DCC), Title 20, and Douglas County Design Criteria and Improvement Standards (DCDCIS) plan showing the location, type, and detail of all exterior light fixtures as follows:*
- a. Exterior lighting (photometric) plan consisting of point-by-point foot candle layout (based on a ten-foot grid center) extending a minimum of 20 feet outside the property lines required by the director shall be prepared by an electrical engineer registered in the state.*
  - i) Lighting must be placed so light does not spill over onto abutting properties.*
  - b. Light sources must be contained entirely within the fixture housing and be directed downward.*
  - c. Light bulbs must be completely recessed within the fixture or within the ceiling of a structure, such that there is less than 90-degree candle luminance cutoff and no excess light spillover into neighboring properties.*
  - d. The maximum parking lot fixture height is 15 feet within 100 feet of a residential zoning district and 25 feet in all other areas.*
  - e. Exterior lighting for hillside development may require additional measures for shielding.*
  - f. Lights identified as "Night Sky Friendly" are preferred.*

The complete list of conditions of approval are included in Attachment 5, with clarifications of some conditions included as Attachment 6.

#### Safety of the Circulation System

The Appellant contends that the proposed interior circulation does not lend itself to safe transitions into the existing right-of-way; creates line of sight and visibility conflicts; is not conducive to pedestrian traffic within the project, and the proposed interior circulation between Lasso Lane and Gilman Avenue will serve as a short cut to/from Gilman Avenue for neighboring residents outside of the project boundaries.

In terms of pedestrian internal and through access, the approved Site Plan shows that there is a sidewalk proposed along the south side of Concho Drive, sidewalks are proposed on both sides of Cinch Trail, and sidewalks are either already existing or will be placed along Lasso Lane, Heybourne Road, and Gilman Avenue. The Applicant intends to keep the interior drives private with maintenance being the responsibility of the owner or a subsequent Home Owner's Association. Parking will not be permitted within the interior drives, which permits a minimum width of 25 feet as proposed. The width and the turning radii are suitable for emergency vehicle ingress and egress, and it is also expected that Douglas County disposal will be able to safely navigate the site. Because the interior drives are intended to be private driveways and it is not necessary for private driveways to be built to County specifications. However, acknowledging that the interior driveways are not

built to County Roadway standards, the Applicant understands that they will never be accepted by the County for maintenance. The project has been conditioned to erect signs at all intersections with public streets stating that the access drives are private and maintenance is not the responsibility of Douglas County. The project is also conditioned to maintain minimum sight distance requirements at all intersections to avoid traffic conflicts.

Regarding the concern of interior driveways being used as a short cut for through traffic, staff recognizes that this is a possibility. However, the project is limited to available access points because Heybourne Road has restrictions on access along the northerly periphery of the site and there is an existing drainage channel to the southerly periphery, leaving access only off of Lasso Lane and Gilman Avenue. Further, the East Fork Fire District requires two points of access for residential projects containing more than 30 units. The project proposes 41 units. For safe emergency vehicle ingress and egress, at least two points of access are required.

Regarding parking, the project is required to provide 92 parking spaces and 92 parking spaces are provided. The spaces are broken down as follows: 47 garage spaces; 28 uncovered required unit spaces; 10 uncovered required guest parking spaces; and 1/2 credit for 14 additional parking spaces which will be striped on adjacent streets. The final approved Site Plan removed parking from Gilman Avenue and some spaces from Lasso Lane resulting in 9 spaces relocating to the north side of Concho Drive, south of buildings 4 and 5. This also resulted in buildings 4 and 5, and Cinch Trail shifting northward to fit the parking spaces with buildings 1, 2 and 5 losing their driveways. It is important to note that the Town of Gardnerville has not reviewed the final revisions to the Site Plan, but staff believes the revisions will not impact the Town and maintain the intent of the original design. There is no DCC requirement to provide driveways in the Multi-Family Residential zone, but if they are provided than they must be at least 20 feet in depth to accommodate a full size parking space. Buildings 1, 2 and 5 still meet their parking requirement, because each of the three-bedroom units provides 2 parking spaces in the garages, and the two-bedroom units provide one enclosed garage space and one uncovered space.

#### **IV. FINDINGS**

##### **Findings for Design Review**

Below please find the findings made by staff in bold type.

- A. The proposed development is consistent with the goals and policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations in that:

Staff Response: The proposed use is consistent with the adopted master plan. The subject parcel is master planned for Multi-Family Residential and is zoned Multi-Family Residential/PD. The proposed use is allowed within the Multi-Family Residential zoning district.

- B. The proposed development is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both in that:

Staff Response: As conditioned, the project is compatible with and preserves the character and integrity of adjacent development and neighborhoods. The project is surrounded by existing single-family homes which are single-story and two-story, vacant residential land, and drainage facilities. Each of the units within the proposed project have enclosed garages and privacy fencing to mimic the look of single-family homes. In addition, the project is conditioned to comply with the County's landscaping and lighting standards to further ensure compatibility with adjacent development. Furthermore, the project is conditioned to comply with conditions of approval placed on the project by the Town of Gardnerville. The Town has conditioned the project to identify refuse pick up locations, drainage ditch improvements, stop signs, street signs and light poles are to match town standards, provide a bike lane transition on Gilman Avenue, provide information on catch basin inserts, identify location for mail delivery, identify the construction route, and other conditions as included in Attachment 5.

- C. The proposed development will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood in that:

Staff Response: As presented and approved, the project will not generate pedestrian or vehicular traffic that will be hazardous or conflict with the existing and anticipated traffic in the neighborhood. The project contains fewer units than allowed under current zoning and therefore, the impacts are likely to be fewer than examined under previous approvals. Staff has conditioned the project to ensure ADA access is maintained on all project sidewalks.

- D. The proposed development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets in that:

Staff Response: The project proposes and is conditioned to provide sidewalk and landscape improvements along Lasso Lane, Heybourne Street, Gilman Avenue, and internal private drives. As conditioned, the project will not have a negative impact on surrounding neighborhood streets.

- E. The proposed development incorporates features to minimize adverse effects, including visual impacts, of the proposed development on adjacent properties in that:

Staff Response: As conditioned, the development incorporates features to minimize adverse effects, including visual impacts, of the proposed development on adjacent properties. The project has been designed to provide a variety of building orientations and setbacks facing public streets, variations on elevations, roof plans, color schemes and fencing to minimize visual effects on the neighborhood. In addition, the project is conditioned to utilize lighting that is in compliance with the County's development code, minimizing visual impacts on adjacent properties.

- F. The project is not located within an identified archeological/cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report in that:

Staff Response: This project is not located within a known identified archeological/cultural study area, as recognized by the county.

- G. The proposed development complies with all additional standards imposed on it by the particular provisions of this chapter, the Douglas County design criteria and improvement standards and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of Chapter 20.100 in that:

Staff Response: As conditioned, the project complies with the standards contained within the County's Development Code and Design Manual. Specifically, the project is conditioned to comply with the County's specific standards for Multi-Family Housing.

- H. The proposed development will not be materially detrimental to the public health, safety, convenience and welfare, or result in material damage or prejudice to other property in the vicinity in that:

Staff Response: As conditioned, it is anticipated the proposed development will not be materially detrimental to the public health, safety, convenience and welfare, or result in material damage or prejudice to other property in the vicinity. Staff has conditioned the project to comply with the County's landscaping and lighting standards to further ensure compatibility with adjacent development. Furthermore, the project is conditioned to comply with conditions of approval placed on the project by the Town of Gardnerville. The Town has conditioned the project to identify refuse pick up locations, drainage ditch improvements, stop signs, street signs and light poles are to match town standards, provide a bike lane transition on Gilman Avenue, provide information on catch basin inserts, identify location for mail delivery, identify the construction route, and other conditions as included in Attachment 5.

### **Conclusion**

Based on the discussion in this report and the attachments, Staff recommends the Planning Commission uphold the decision of the Community Development Director and deny the appeal request.

### **PC Attachments:**

1. Mr. Ernst's Appeal Statement
2. Vicinity Map
3. Aerial View Map
4. Approved Site Plan, Floor Plans, Elevations
5. Town of Gardnerville Approval Letter w/Conditions
6. Staff Letter of Determination, February 13, 2015
7. Clarification Letter, email correspondence to R.O. Anderson RE: Conditions of Approval

Franklin "Harry" Ernst III  
Architect (CA), Class I School Inspector (CA Division of State Architect)

PC ATTACHMENT 1

March 2, 2015

Via Hand Delivery

Emery J. Papp  
Senior Planner  
Douglas County Community Development  
1594 Esmeralda Ave.  
P.O. Box 218  
Minden, NV 89423

RECEIVED  
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DOUGLAS COUNTY  
COMMUNITY DEVELOPMENT

**Statement of Justification for Appeal of Decision  
Esplanade at The Ranch  
The Ranch at Gardnerville DA 14-047, Major Design Review**

To whom it may concern:

Please consider this letter my statement of justification for Appeal of Decision. The Director of Community Development approved this project in February 2015. The multi-family residential project is located at the intersections of Gilman Avenue and Heybourne Road, Lasso Lane and Heybourne Road in the Town of Gardnerville, Nevada (APN 1320-33-210-069). The project is surrounded on three sides by streets with single family residential dwellings on the opposite side of the streets: west, north, and east. Open space and drainage area is on the south.

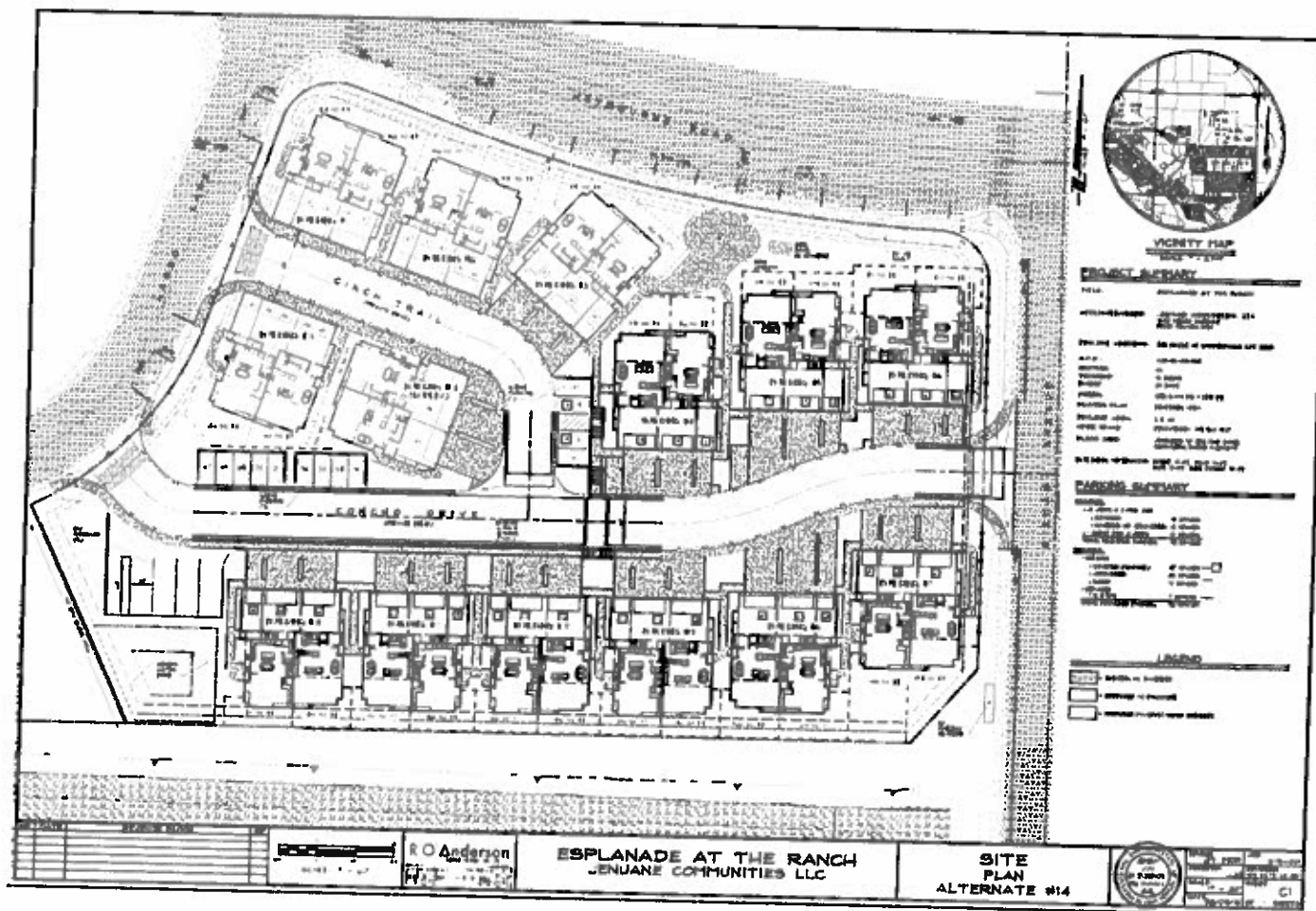
The proposed project will have 14 two-story 54' wide x 64'-6" wide x 35' high buildings; thirteen (13) tri-plexes, one duplex. Two 2-car garages and a one 1-car garage will be in each tri-plex. The "private driveway" system has one entry off of Gilman Ave and two off of Lasso Lane.

The project as proposed has several problems: 1) The "private driveways." Thru traffic is permitted between Gilman Avenue and Lasso Lane creating a hazard. Traffic from the project will use Lasso Lane as a connector loop between Cinch Trail back to Concho Drive, creating a hazard. 2) Potential blind corners are being created at town street intersections and project curb cuts. 3) Cinch Trail has now become an alley. 4) "Private driveways" are narrow, substandard. 5) Parking: is no-longer near residential units on Cinch Trail, and residents are encouraged to park on surrounding town streets creating a hazard for pedestrians. 6) Sidewalks are missing, create hazardous conditions for pedestrians. 7) Fencing does not provide privacy and security for residents along the Town streets. 8) Building sizes, shapes, and massing will be imposing along the town streets, especially Heybourne Road. They do not look like the surrounding residential homes.

A drawing of the proposed project is shown on page 2 of this appeal letter. Next is a brief description of the historical "background" and after that is a detailed list of "statements of justification," for lack of better terminology, using a Douglas County formatting style.

A solution exists. I believe the proposed project applicant is trying to do too much. There is not enough room for everything proposed. Please read on.

Franklin "Harry" Ernst III  
Architect (CA), Class I School Inspector (CA Division of State Architect)



Newest Proposed Site Plan from the developer/builder.

### BACKGROUND

The Ranch at Gardnerville Planned Development was originally approved on December 2, 2004. Since the original approval, changes have been granted and made increasing the number of multi-family residences from 30 to 41; the number of single family residential units was decreased. "Flexibility" is a term used many times in the history and files of the planned development.

In the summer of 2014 the project applicant (Jenuane Communities The Ranch, LLC) requested many variances. The Town Board of Gardnerville denied (advisory) the applicant's variance requests. Subsequently the project applicant withdrew their variance requests except two. However, their new site plan did not make any changes. Everything pretty much stayed the same, only they were not called variances anymore. The two variance requests (eliminating RV parking requirements and increasing the unit density from 41 to 42) were eventually denied in the public hearing process of the Boards having jurisdiction. The other features (formerly called "variances") remain as part of the plan: reducing the



Franklin "Harry" Ernst III  
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required driveway widths, waiving sidewalk requirements, allowing tandem parking in front of the garages. Have setback requirements for multi-family residential units been waived? See Item #30 of a letter dated June 3, 2013 from the Douglas County Community Development to Carrie McAninch, Ranch at Gardnerville LLC.

Evidently, during the Design Review period after the last public hearing several changes had to be made to gain approval from the Director of Community Development: a) parking was eliminated along Gillman Road, b) parking was reduced along Lasso Lane, c) building setbacks at the corner of Lasso Lane and Heybourne may have been increased to mitigate a potential blind-corner situation / improve visibility, d) removal of private parking occurred in front of the garages of buildings (No.'s 1, 2, 13, 14) on Cinch Trail. They added sidewalks that abut the buildings, thus creating an alley with no landscaping. e) Several new parking spaces were added directly in front of the resident's living room windows of Building #14.

The wisdom of these approved changes is questionable. See the "approved" site plan on the previous page.

**STATEMENT of JUSTIFICATION for the Appeal of Decision - continued**

The format is based on the wording and style of the Douglas County Code, Title 20.614.040 Findings. My comments are in bold face font.

The proposed project does not meet the minimum requirements set forth in the Douglas County Code, Title 20.614.040 Findings.

Title 20.614.040 Findings. A. The proposed development may **not** be consistent with the goals and policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations.

Title 20.614.040 Findings. B. The proposed development is **not** compatible with and **does not** preserve the character and integrity of adjacent development and neighborhood.

The fourteen two story 54'w x 60'-6"w x 35' high buildings will not look like the surrounding single family residential homes: shapes, variations of form, style, colors. The single family residential homes are a contemporary style while the multi-family residential buildings have a variety of styles. The new driveways intersecting Lasso Lane will create a new means of circulation.

The entries into individual multi-family units immediately adjacent with Lasso Lane and Gilman Avenue should be screened/fenced; in a manner to prevent potential drug dealing in and out of them. People will park on the streets because on-site parking has become restricted, remote and inconvenient.

Title 20.614.040 Findings. C. The proposed development **will** generate pedestrian and vehicular traffic that **will** be hazardous and conflict with existing and anticipated traffic in the neighborhood streets.

It is foreseeable the "private driveway" streets will be used as a short cut street between Lasso Lane and Gilman Avenue. These new "private driveway" streets will be an inviting short cut and

confusing means to transit the neighborhood; thus creating hazardous design-built conditions. This is a dangerous situation for adults, children, elderly, disabled individuals, joggers, bicyclists, and pets; especially with narrow streets, alley like conditions, and spotty sidewalks. Concho Drive and Cinch Trail will become "de facto" public streets. These "private driveway" streets will not be used exclusively by private parties of the development. The increased traffic produced by the new "private driveways" connecting Gilman Avenue with Lasso Lane will adversely impact the surrounding neighborhood.

Also, it is foreseeable project residents and visitors will use Lasso Lane as part of the circulation loop system of the project. To make a 'U' turn to leave the project and get back into it, drivers will exit Cinch Trail by turning left onto Lasso Lane and then turn left again onto Concho Drive. These additional ingress/egress curb cuts will be a hazard in the curved portion of Lasso Lane. There will be many distractions there. The multi-family residential development will not be self contained. Activities there will spill out into the surrounding neighborhood.

Because of the unpredictable nature of others, driving thru the narrow substandard "private driveway" streets, without continuous sidewalks, and alley like conditions, it is foreseeable that people will get hurt because of these designed and built conditions. It is foreseeable people, both resident and non-resident, will use the "private driveway" streets as a walkways. The additional traffic entering Lasso Lane from Cinch Trail and Concho Drive will increase hazards significantly.

Title 20.614.040 Findings. D. The proposed development does not incorporate roadway improvements to restrict traffic flow or divert traffic.

The slight curve of Concho Drive at the Lasso Lane may actually look like a street intersection. Traffic will not be restricted there. Landscaping near the corners may impair driver views, possibly creating blind corners. "Cobbled" pavement will look like other project intersections and may confuse the visually impaired. The same will be true of the intersection at Cinch Trail and Lasso Lane. Activities there will spill out into the surrounding neighborhood.

Title 20.614.040 Findings. E. The proposed development does not incorporate features to minimize adverse effects, including visual impacts, of the proposed development on adjacent properties.

The triplex buildings are very large. Street setbacks are minimal. The walls and roof will extend up to 35'. (See attached photos of a similar project in Reno, NV.) The multiple buildings along Heybourne Road will appear as a long wall. In many places the buildings are only 10 feet apart. Falling snow and ice onto people entering/exiting their homes is a design-built hazard. There is minimal variation of the wall effect especially along the west end of the project along Heybourne Road and Lasso Lane.

The fencing will also add to this wall effect. However, fencing is needed there to provide privacy and security for the private back yards. The proposed 4' high visual fences will not provide privacy nor security. The fencing should be solid and sturdy to handle 90 mph winds that occur here. The fences could vary in distance from the sidewalks, however the building shapes, forms would have to be modified extensively to agree with the stepped up and stepped back look of the surrounding single family residences.

Franklin "Harry" Ernst III  
Architect (CA), Class I School Inspector (CA Division of State Architect)

**Most of the single family residences across the streets are set back at least twenty feet and more. The two-story single family residences step back in height. The exterior wall setbacks from the sidewalk varies often. (See the attached photos of the existing neighborhood homes.)**

**At Cinch Trail the "private parking" has been eliminated, thus creating a separation of 39' feet between Buildings #1 and #13, #2 and #14. An alley has been created. (See photos of a similar conditions in Reno, NV.)**

**The multi-family residential development is not self contained.**

Title 20.614.040 Findings. F. n/a ?

Title 20.614.040 Findings. G. The proposed development does not comply with all additional standards imposed on it by the particular provisions of this chapter, the "Douglas County Design Criteria and Improvement Standards" and all other requirements of this title applicable to the proposed development and uses within the applicable base zoning district, including but not limited to, the adequate public facility policies of chapter 20.100.

Title 20.614.040 Findings. H. The proposed development will be materially detrimental to the public health, safety, convenience and welfare, or result in material damage or prejudice to other property in the vicinity.

**Many hazardous conditions will be created as described in the previous sections. In addition, it has been rumored that the two story homes are not selling well. A neighbor has pointed out he is having difficulty selling his home because of the closeness of the two-story structure next door and because of the proposed multi-family residential development across the street.**

**COMMENTS - "Douglas County Design Criteria and Improvement Standards"**

**The following is from Section 4 of the standards for multi-family residential units. My comments in bold will follow the County Standards "in quotes."**

**The project being proposed is not in conformance with the "Douglas County Design Criteria and Improvement Standards."**

**Section "4. Multi-Family" of the "Douglas County Design Criteria & Improvement Standards" -**

**"The following design standards are intended to promote interesting and unique multi-family residential designs of duplexes and complexes of three or more units. When designing a multi-family project, it is important to consider adjacent uses, topography, existing vegetation, solar and wind orientation and the overall neighborhood atmosphere."**

**The project as presented does not meet these criteria. No consideration has been given to solar and wind orientation, views of the mountains, vegetation, and the surrounding neighborhood atmosphere. The building sizes will adversely affect the visual country look and feel of the neighborhood now. Value of the surrounding homes will be adversely affected.**

#### **"4.1 Building Arrangement and Location"**

"Arrangement and location of buildings often determine how the entire site will be planned and how it functions. The arrangement and location of a multi-family building or buildings can create open space areas, provide convenient accessibility, and create safe and desirable environments."

**There are too many buildings proposed, thus creating a situation where on site traffic and parking will spill into the surrounding streets.**

**This project will not improve the safety of the neighborhood. For example, unit entrances of the multi-family residential units at the surrounding streets will invite easy in-and-out street side (drug trafficking) activity, eventually.**

"4.1.1 Within multi-building complexes, buildings shall be clustered creating open spaces. Where clustering is impractical, a visual link between buildings shall be incorporated. This link can be accomplished by the use of an arcade system, trellises, pedestrian walkways, or other similar designs."

**The open spaces for this project are the "private driveway" and vaguely defined site amenities area north of Building #4. The system of "private driveway" streets appear to be the primary linkage between buildings: no arcade, no trellises, few walkways, etc., only ten feet between buildings in most cases. The multi-family residential development is not self contained. Activities there will spill out into the surrounding neighborhood.**

"4.1.2 When the buildings are located along the street frontage, open space areas are to be provided between the buildings. The building setback and orientation is to be alternated to eliminate monotonous street frontage. (see Figure 3.12 [of the standards]."

**Attempts have been made to vary the angle of the buildings along Heybourne Road. More is needed. More sunlight should be allowed between the buildings for longer periods of time. The fencing should be higher to provide security/privacy, and should have varied setbacks from the street sidewalk.**

**The buildings along the "private driveway" streets are monotonous in form; they are identical in shape and form. When looking down the "private driveway" street they will appear as tight canyons, appear as alleys. The building setbacks are not varied. They will be the same on the south side of the project. Note: the single family residential homes have varied setbacks and form.**

"4.1.2 The existing natural features on a site such as trees, sloughs, slopes and rock outcroppings are to be retained and incorporated into the site layout to create more interesting and unique designs."

**The ditch on the south side of the site has been completely ignored. A separate plan is in place to clear out the natural vegetation for drainage purposes. Presently a lot of wildlife enjoy the cover of the bushes and trees: such as deer, quail, rabbits, other. Views of the slough and mountains from the individual living units is being ignored. The design does not take advantage of these natural features.**

"4.1.3 The building location and orientation should give consideration to the sun and wind exposures, minimizing noise levels and impacts to safety and privacy. Pedestrian open space areas and walkways should be located on the south or west sides of the building(s) so that maximum sun exposure is

provided during winter months. Deciduous trees can be planted to provide shade in the summer months. Wind direction should be considered in the site design."

Apparently, none of the above has been considered in the design. The 13 triplex buildings are identical in their floor plans. The duplex floor plan has not been defined. Privacy? There is very little privacy between the buildings. The entrances, in many cases, are directly opposite each other, windows, too, ten feet apart in many cases. The three units per building do not consider sun orientation, wind exposures, noise from adjacent units and buildings, impacts to safety and privacy. Many of the buildings are ten feet apart, allowing minimal sunlight to penetrate the spaces between and allowing snow and ice to build up on the walkways and forming ice at roof edges directly over the common entry walkways below. This is clearly a hazard for pedestrian circulation. The winds in the area are ferocious and those winds will be intensified as they pass thru the narrow spaces between buildings and the "private driveway" streets.

"4.1.4 Storage buildings and areas shall be located in the rear of the site. The storage areas and material shall be properly screened by the use of fences, decorative walls or other similar opaque screening fixtures consistent with Title 20."

Apparently no storage buildings or areas are contemplated for this project. My experience as an apartment manager years ago tells me that storage is required for such things as maintenance supplies, tools, lawn mowers and related landscaping tools. Relying on garage space is not reasonable. RV storage spaces should therefore be screened. If it is the intent to revert the for-sale condominium project to apartments, then who and how is the site going to be maintained? Office space for an apartment manager and or HOA activities is necessary.

"4.1.5 Buildings must be arranged so that they do not create a 'blind corner' and/or impair traffic safety and site area. Specific consideration must be given to corner lots and instances where there are existing and adjoining driveways."

The unit at the corner of Heybourne Road and Lasso Lane still has a potential for creating a "blind spot" for vehicular traffic. The building setback at this corner must be far enough back to have clear and unobstructed views. A potential for a very dangerous conditions exist here for all: vehicular, pedestrians, and bicyclists. The inevitable landscaping there will make matters worse. A new single family home is scheduled to be on the opposite side of Lasso Lane at the corner with Heybourne, too. So this complicates things even more. The additional intersections at Lasso Lane / Cinch Trail and Lasso Lane / Concho Drive complicate matters more; blind corner, unusual traffic movement. Please note: Heybourne is a collector street and eventually will be carrying a lot of traffic. A blind spot potential at the Concho-Gilman intersection should be looked at very carefully.

#### "4.2 Circulation and Parking" - "Douglas County Design Criteria and Improvement Standards" -

"Circulation is the pattern of movement of pedestrians, vehicles and bicyclists on the site. Circulation patterns are critical in terms of public health, safety and convenience. Off-street parking is required for all projects and each project is expected to accommodate its tenants' (owners?) needs."

Little regard has been given for separating pedestrians, vehicles and bicyclists on the site. Circulation patterns are critical in terms of public health, safety and convenience. Shedding legal liability by posting (indemnification) signs at the driveway entrances of the project does not create a

safe environment. And because of the density of the proposed project, 41 units, there will be a lot of vehicles to park on site, visitor parking included. Many multi-family households will probably have a third vehicle or more. And because of the convenience and orientation of the units to the streets off Lasso Lane, Heybourne Road, and Gilman Avenue, many of the vehicles will be parked on the main streets. There is just no getting around this fact. The multi-family residential development is not self contained. Activities there will spill out into the surrounding neighborhood. Traffic will drive through.

Please note: no distinction is made between "private driveways" and street driveways, other. So trying to dodge the responsibility of enforcing these standards is probably illegal. See staff reports regarding driveways for this project.

"4.2.1 The on-site circulation must be logical and provide convenient, safe and direct flow of pedestrian and vehicular traffic."

As noted earlier, many hazardous conditions will be created if the proposed is allowed to be built. Pedestrian and vehicle conflicts will occur; they will be sharing the same asphalt surfaces. A sidewalk is shown on the south side of Concho Drive, none on the north side. Cinch Trail now has sidewalks immediately adjacent to the buildings. "They" just got rid of the private parking aprons in front of the garages. "They" have created an alley out of Cinch Trail.

Snow and ice will build up in the shadows of the 35' foot tall buildings, thus making walking on the sidewalks dangerous. Pedestrians will probably opt to walk in the driveways that receive some sunlight during the winter. So much for safety.

Building #14 has a troubling condition: the building is six feet from the street gutter and the residents of this unit will step into the "private driveway" street. It is foreseeable that someone will get hit by a vehicle there.

Planters are proposed in the concrete parking aprons in many other areas on the site, creating potential tripping hazards, drive-overs likelihood, maintenance issues, and simple neglect potential.

"4.2.2 All parking areas, driveways, parking aisles and sidewalks shall be graded, drained and paved in accordance with Title 20 and Part II of this manual."

It will be difficult to drain certain areas of the site, in particular when unit entrances and gutters are in close proximity to each other, and where the buildings are so close to each other.

"4.2.3 Separate vehicular and pedestrian systems shall be provided connecting the site with the street and sidewalk system."

Separation does not exist in many places. Pedestrians will be required to use the "private driveway" streets and parking aprons in many places. There have been some improvements with ADA (Americans with Disabilities Act) requirement compliance.

"4.2.4 Parking shall be distributed throughout the complex so that it is directly accessible from all dwellings. Parking areas along the street frontage shall be broken-up with open spaces to provide "windows" into the interior of the complex and break-up the monotony of long parking aisles. (see Figure 3.13)"

The number of parking spaces appears to have been significantly reduced with the recent revisions of the proposed plan. Parking for Buildings #1, #2, #13, #14 have disappeared. They still have garage parking, but, I repeat, the concrete parking aprons have been eliminated. Access is difficult in an alley like situation. Evidently some of the parking has been moved from Cinch Trail to Concho Drive. They no longer have direct access to their vehicles from their homes. Reliance on street parking has been increased. The multi-family residential development is not self contained. Activities there will spill out into the surrounding neighborhood.

It is not now known if this proposed project is compliant in regards to required parking. A lot of parking spaces disappeared in the recent "Design Review" and "revision" process.

Tandem parking? This variance issue remains. Question is, will staff administratively excuse this, too?

Parking on Concho Drive will be monotonous visually, especially with very small areas of potential open spaces between the concrete parking aprons. Cinch Trail has no landscaping now; it is now a "de facto" alley.

"4.2.5 Connection or joint use of driveways, parking areas, etc. with single-family, commercial, industrial or institutional uses is discouraged. Whenever the project is connected with adjacent multi-family residential site, the circulation must allow for similar direction of travel and parking to reduce conflict at points of connection."

Three entrances to the multi-family project from adjoining streets pose a traffic hazard. Thru traffic, "a short-cut" from and to Gilman Avenue and Lasso Lane is likely. Has this potential been mitigated? Please refer to my earlier discussion regarding this.

"4.2.6 In cases where one-way traffic aisles are provided, one-way traffic signs shall be clearly posted and one-way arrows shall be painted and maintained within the drive aisle."

"4.2.7 The turning radii for drive aisles shall meet the AASHTO standards for turning movements."

"4.2.8 Parking spaces directly abutting structures are not permitted. In cases where parking spaces face residential buildings, a dense hedge, berming or a decorative wall/fence shall be provided to screen vehicular lights."

Several parking spaces abutting have appeared in the most recent design plan. Building #14.

"4.2.9 Interior sidewalks must be a minimum of 4-feet in width. When parking stalls directly abut a sidewalk, the sidewalk shall be a minimum of 6-feet in width. If exterior stairways are used with the stairway landing on the sidewalk, the sidewalk shall be a minimum of 6-feet width."

Some fine tuning is needed is needed along Building #4.

"4.2.10 In cases where parking areas or drive aisles abut single-family uses or zoning designations, a 6-foot high solid masonry wall shall be provided."



"4.2.11 Interior drive aisles shall be designed to provide appropriate circulation and maneuverability for emergency vehicles."

**In a letter from the East Fork Fire and Paramedic District dated July 31, 2014 they requested the sidewalk on Concho Drive be located on the south side. I hope they realize that in the winter the shadows created by the tall buildings will not allow the snow and ice to melt for weeks. Cinch Trail now has sidewalks, but they are directly under the roof overhangs. Has anyone considered the danger of falling ice and snow in these locations? What will emergency services do there?**

"4.2.12 All parking spaces shall be consistent with the most current American with Disabilities Act (ADA) regulations and standards."

**"4.3 Vehicular Access" - "Douglas County Design Criteria and Improvement Standards"**

"4.3.1 Access points shall be kept to a minimum; however, the number and location of driveway curbs shall be adequate to allow efficient traffic flow. Joint access between adjacent multi-family sites is to be utilized whenever possible to reduce traffic hazards and necessary curb cuts. Joint access with commercial, industrial or institutional uses is discouraged."

**The points of access from Lasso Lane are dangerous. As discussed earlier they will be a problem. The multi-family residential development is not self contained. Activities there will spill out into the surrounding neighborhood.**

"4.3.2" ?

"4.3.3 Driveways are to be designed and located so that the vehicles have sufficient visibility and maneuverability. All driveways must meet the AASHTO standards for turning movements."

**24-foot driveways is tight. Getting in and out of concrete parking aprons will be difficult in the snow. Visibility at the intersections at Gilman Ave and Lasso Lane is restricted due to the reduced setbacks of the buildings. Cinch Trail now resembles an alley way. Garbage trucks may have difficulty removing garbage.**

"4.3.4 The spacing between driveways and intersection corner clearances shall be consistent with the standards provided in Part II of this manual."

**The "private driveway" street intersection at Cinch Trail and Concho Drive is interesting. The private parking aprons in this area may not meet the standards referenced. Clearances ?**

"4.3.5 Pavers, stamped concrete or other similar treatment are to be used to denote driveway approaches."

**Stamped concrete paving at the Lasso Lane curb cuts may look like the other street intersections. How will people know the difference between "private driveway" streets, and streets?**

"4.3.6 Buildings having direct driveway access from the street shall have a minimum driveway length of 20 feet so that vehicles parked within the driveway do not obstruct the sidewalk."

**"4.4 Pedestrian Access" - "Douglas County Design Criteria and Improvement Standards"**

"4.4.1 Pedestrian linkages between uses within the development such as swimming pools, recreation rooms and/or laundry rooms shall be provided. Design features such as walkways with enhanced paving, trellis structures, or landscaping/hardscaping treatments are to be provided."

**The only access to the "site amenities" area is between Buildings #3 and #4. The amenities are not centrally located on the site. See earlier discussion regarding this matter.**

"4.4.2 A direct pedestrian access from the street to the project is required. Special consideration must be given to projects abutting neighborhood commercial uses such as grocery/convenience stores, restaurants, parks, schools, etc."

**The only plausible continuous sidewalk is located on the south side of Concho Drive. In winter this will be in the shadows of the tall buildings, thus being covered by ice and snow. Sidewalks on Cinch Trail have been added, but that whole situation there shows how they can't get it all in: sidewalks, private parking aprons, landscaping. The multi-family residential development is not self contained. Activities there will spill out into the surrounding neighborhood. Pedestrians from the surrounding single family homes and neighborhoods will use the "private driveway" streets, alley, and sidewalks.**

"4.4.3 A continuous on-site pedestrian walkway must be provided from the perimeter public sidewalk."

**The only plausible continuous sidewalk is located on the south side of Concho Drive. In winter this will be in the shadows of the tall buildings, thus being covered by ice and snow. The sidewalks on Cinch Trail are problematic.**

"4.4.4 All pedestrian areas shall be consistent with the most current Americans with Disabilities Act (ADA) regulations and standards."

**"4.5 Landscaping - General" - "Douglas County Design Criteria and Improvement Standards"**

"Landscaping is a major factor in the image of an area. Plants can perform a number of functions to enhance the site. Landscaping can be used to screen unattractive views, create distinguished entry ways and exits, create pedestrian spaces, reduce heat and glare, mitigate soil erosion, provide buffering between incompatible land uses, soften architectural lines and mitigate noise. These issues should be considered when designing a landscape plan. All landscaping shall comply with the minimum standards provided in the Consolidated Development Code."

**Concho Drive is mostly covered in asphalt and concrete. Little space remains for trees and bushes to mitigate the sun and glare. The canyon effect of Concho Drive will create a very noisy echo effect and apparently small planter areas will not grow big trees. The pine trees, when big, will tear up the concrete and asphalt paving (in time). Landscaping on Cinch Trail has been sacrificed, there is none now. When landscaping is added at the blind corners at Concho Drive, Cinch Trail, Heybourne Road at Lasso Lane, and Concho Drive at Gilman Ave., traffic hazards will have been created, i.e. blind corners. This is exacerbated by the fact that the buildings are so close to the streets, i.e. the setbacks. How are the setbacks determined in these locations? By "administratively handled" staff (committee)**

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Architect (CA), Class I School Inspector (CA Division of State Architect)

**decisions? Excusing setback requirements set in County standards seems to give staff a lot of power. Who will be responsible for the injuries and deaths at the blind corners being created?**

**I have skipped 4.5.1 thru 4.5.7 . These issues should be addressed, too.**

**"4.6 Landscaping - Parking" - "Douglas County Design Criteria and Improvement Standards"**

**There is no parking lot per se, just the asphalt/concrete areas along both sides of Concho Drive and Cinch Trail. I hope there is more than rock cover. Green turf would add a lot to this project and the neighborhood.**

**"4.7 Landscaping - Site Perimeter"**

**Hopefully trees and bushes will be planted in good soils, not hidden piles of gravel and sand.**

**"4.8 Landscaping - Interior Open Space"**

**There is effectively no interior open space with this design. Concho Drive and Cinch Trail are for all practical purposes covered with asphalt and concrete. Any spaces construed to be open are at the "site amenities" area north of Building #4.**

**"4.9 Landscaping - Detention/Retention Basin" - "Douglas County Design Criteria and Improvement Standards"**

**"4.10 Building Design - General" - "Douglas County Design Criteria and Improvement Standards"**

**"Building design is an integral part of multi-family development of any size. The building usually sets the tone of a multi-family project. Through various building designs and architectural ornamentation, desired tones and themes can be achieved. Multi-family complexes must be functional and provide adequate privacy for residents. Building design must comply with the standards provided in the Consolidated Development Code.**

**The four foot high fence along the streets separating the housing units from the street will not provide security and privacy.**

**Any ornamentation must be applied per the current Fire Codes. Stucco covered styrofoam presents a major fire hazard when two buildings are located less than ten feet (10-feet) apart. Current plan shows many locations of 10-foot separation between buildings. Note that any applied ornamentation will reduce the building separation to less than 10-feet. As for privacy, many unit entrances and windows will be directly opposite each other.**

**"4.10.1 New buildings must be compatible with the surrounding buildings in size and utilize similar architectural styles. Special consideration must be given to projects next to properties used or designated as single-family residential. Building design shall incorporate similar architectural features (such as roof design, building materials, etc.) as the surrounding single-family buildings."**

The proposed tri-plexes and duplex will not be compatible with surrounding buildings in size and will not utilize similar architectural styles. The single-family residences are an interesting mixture of forms, heights, front yards, massing and shapes. On the other hand the 14 identical two-story buildings will be 35' feet tall, measuring 54'-0" x 64'-6", lined up in a line in most instances, having no variety of forms, heights, massing, shapes, and no variety of front yards (there are none, just concrete and asphalt with little landscape strips). A narrow echoing canyon effect is being creating at the multi-family residential complex.

The single-family residential style is predominantly western and is a mix of one and two-story structures. Note: when the applicant's consultant gave their power-point presentations at the Town of Gardnerville and Douglas County Planning Commission they were very careful not to show any images of the surrounding single-family residences. So how could they claim compatibility with nothing to compare? We saw a lot of images of other tri-plex projects though.

"4.10.2 Within multi-building projects, architectural consistency of all buildings shall be maintained. Buildings shall have consistent color schemes, building materials, wall textures and roof material."

The proposed project consists of 13 identical tri-plexes and one duplex with a variety of exterior appearances. When looking down Concho Drive and Cinch Trail they will appear to be a row of square buildings lined up in a row. Creating a dark alley appearance.

"4.10.3 The use of roof top equipment should be avoided. Projects utilizing any roof top equipment (including satellite dishes) shall provide parapet walls and/or other architectural features to screen the equipment from all sides of the building. The texture and color of parapet walls shall be consistent with the texture and color of the building. Pop-through or wall mounted air conditioners are not permitted."

It is not clear on the site plan where air conditioning units will be located. Will they be screened from view? Will the AC units be located in noisy (echoing) spaces between buildings, of 10-foot separation? Since there is no cable service in the neighborhood yet, there are going to be a lot of satellite dishes and associated wires stuck on the sides of the buildings.

"4.10.4 Reflective, untreated metal roofs are prohibited. All exposed metal surfaces shall be painted in a flat, non-glossy paint to match the color of the building. Non-anodized and un-painted aluminum window frames are not permitted. All windows shall have a trim, a minimum of 4 inches in width or decorative shutters."

"4.10.5 The design of accessory buildings (i.e. recreational, storage, etc.) shall be consistent with the design of the primary building(s) by using similar types of exterior wall textures, building and roof materials."

"4.10.6 The roof line at the top of any structure should not run in a continuous plane for more than 50-feet without offsetting or jogging the roof line. Roofs must have at least one of the following features around the entire building: 1) parapets concealing flat roofs, 2) overhanging eaves, 3) sloped roof, and/or, 4) two or more roof slope planes."

The roof lines along Concho Dr and Cinch Trail appear to be varied, but without a roof plan this is difficult to verify.

"4.10.7 The height of the building is to be varied so that distinctive roof lines are created."

Each of the 14 tri-plexes (13 triplexes + 1 duplex ?) are identical except for ornamentation. The heights are exactly the same, nearly thirty feet 30-feet in height. There is no variety of building height among the numerous tri-plexes. It will be monotonous and out of character with the single-family residences in the surrounding neighborhood.

"4.10.8 The planes of exterior walls shall be varied in depth and/or direction. Building walls greater than 30-feet in length must incorporate recesses, a minimum depth of 5-feet, and projections, a minimum of 5-feet. (see Figure 3.14 [in the attached standards]. Balconies and porches may be utilized to meet this requirement."

The building elevations along Concho Dr. and Cinch Trail do not have recesses or projections of a depth of 5-feet or more. The back of the buildings do not either. The front and back elevations are 54'-0" in length. Only one side of the buildings have recesses or projections 5-feet or more. This is clearly not in conformance with the "Douglas County Design Criteria and Improvement Standards."

"4.10.9" ?

"4.10.10 Parts of a building facade shall be articulated by the uses of color, fenestration, arrangement of facade elements, and/or change in material. Architectural detailing such as trellises, arcades, siding, stone, or brick at the ground level shall be incorporated to eliminate monotonous facades."

Does the use of fake bricks, fake stones, etc. satisfy this requirement? All of the ornamentation on the single-family residences with "plaster siding" is actually a system of styrofoam covered with a thin layer of plaster. This application is easily damaged, scratches off easily, leaving exposed styrofoam. It appears, from looking at the vague drawings, the fake ornamentation method will be used for the tri-plexes.

"4.10.11 Each building must have clearly placed and illuminated address and building identification."

This will be critical for this project since all of the buildings are identical and closely spaced together.

There are many more standards dealing with balconies and patios, stairs, garages and carports, identification signs, directory signs, lighting, screening, walls and fences, and postal mail boxes.

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### **CONCLUSION**

It is my hope that the Members of the Planning Commission, County Planning staff, neighbors, and others will actually read this letter. I have studied the Planned Development's voluminous files extensively and have noted a pattern of granting variances, exceptions, exemptions, waivers, "handled administratively", exercising staff prerogative all in the name compromise. ("flexibility?") My desire and expectation is that the proposed multi-family residential project will abide by the Douglas County Codes, "Douglas County Design Criteria and Improvement Standards", Building Codes, Town of Gardnerville Guidelines, good design and planning practices.

Three entrances from surrounding streets are shown on the plot plan: one from Gilman Avenue and two from Lasso Lane. (See the attached plot plan on page 2 of this letter) An interior system of "private roadway" streets has been created connecting Lasso Lane and Gilman Road. It is foreseeable these driveways/roadways/streets will be used by many drivers not living in the multi-family project. It invites, will be easy to come straight thru from Lasso Lane onto Concho Drive to get to Gilman Ave. This creates a clear hazard for pedestrians on the property and for others coming thru. What is the difference of a "private driveway", roadway, street when clear hazards to people (children, adults, elderly, handicapped, bicyclists, pets) are created? The county standards clearly prohibit creating hazards.

### **SOLUTION**

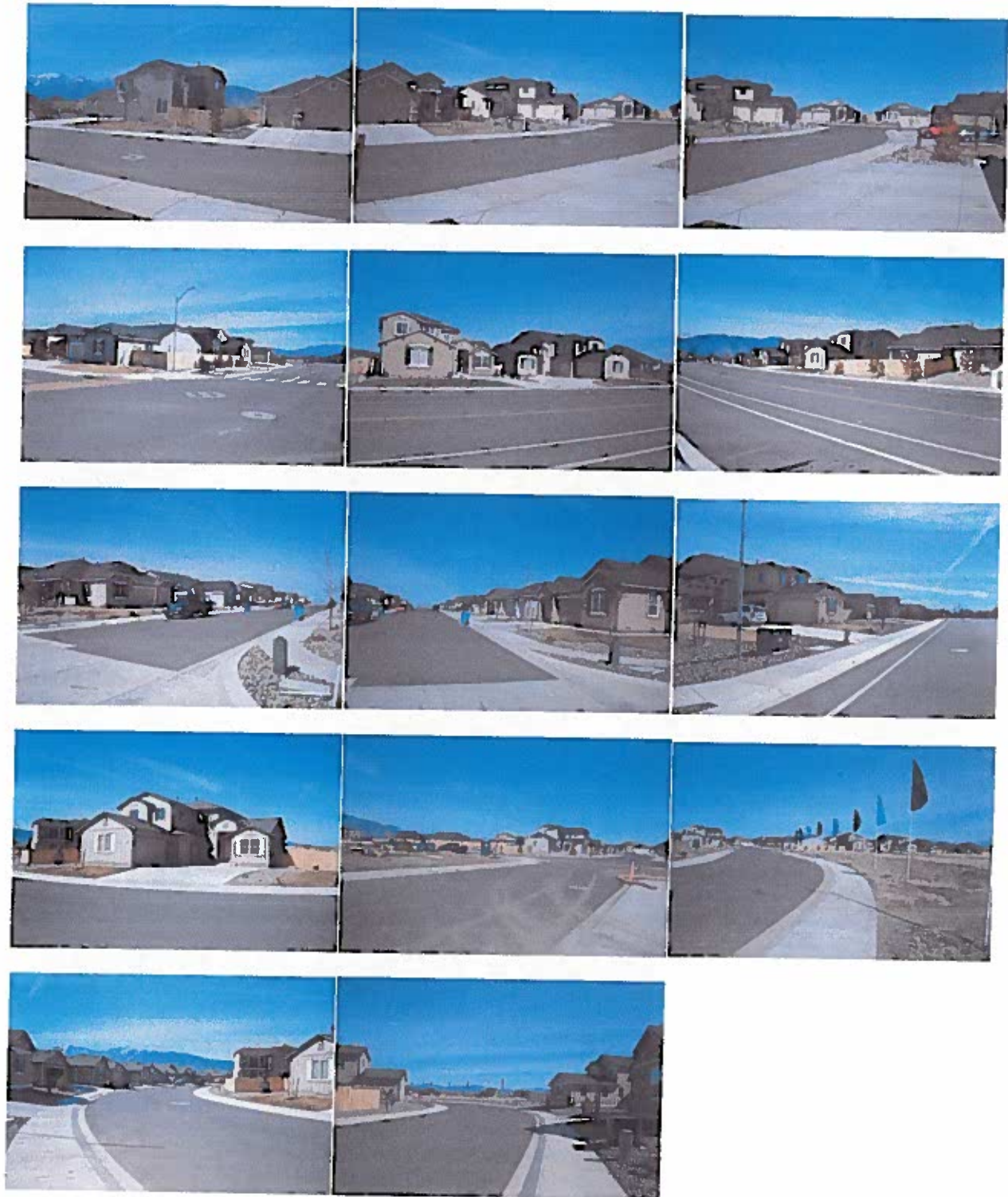
Abide by the Douglas County Codes. Eliminate Buildings #13 and #14. Eliminate the site entrances from and to Lasso Lane. I am prepared to present a sketch of a new site plan, if asked.

Respectfully Submitted this day March 2, 2015



Franklin "Harry" Ernst III

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Architect (CA), Class I School Inspector (CA Division of State Architect)



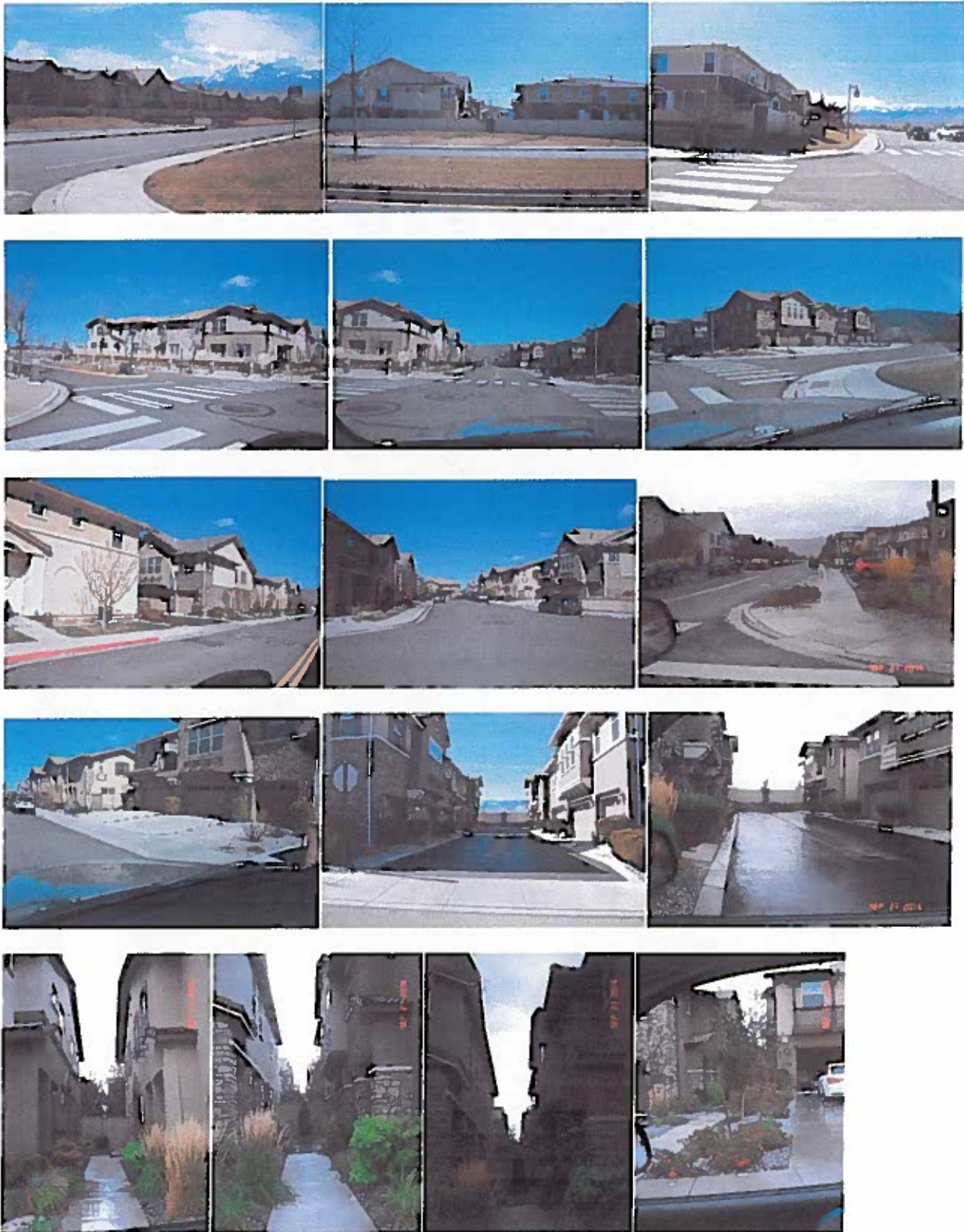
## Single Family Residences - The Ranch at Gardnerville

1513 Lasso Lane  
Gardnerville, NV 89410

page 16 of 17  
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email = [harryernst@ao3news.cnc.net](mailto:harryernst@ao3news.cnc.net)



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Architect (CA), Class I School Inspector (CA Division of State Architect)



## Multi-Family Residential Development in Reno

1513 Lasso Lane  
Gardnerville, NV 89410

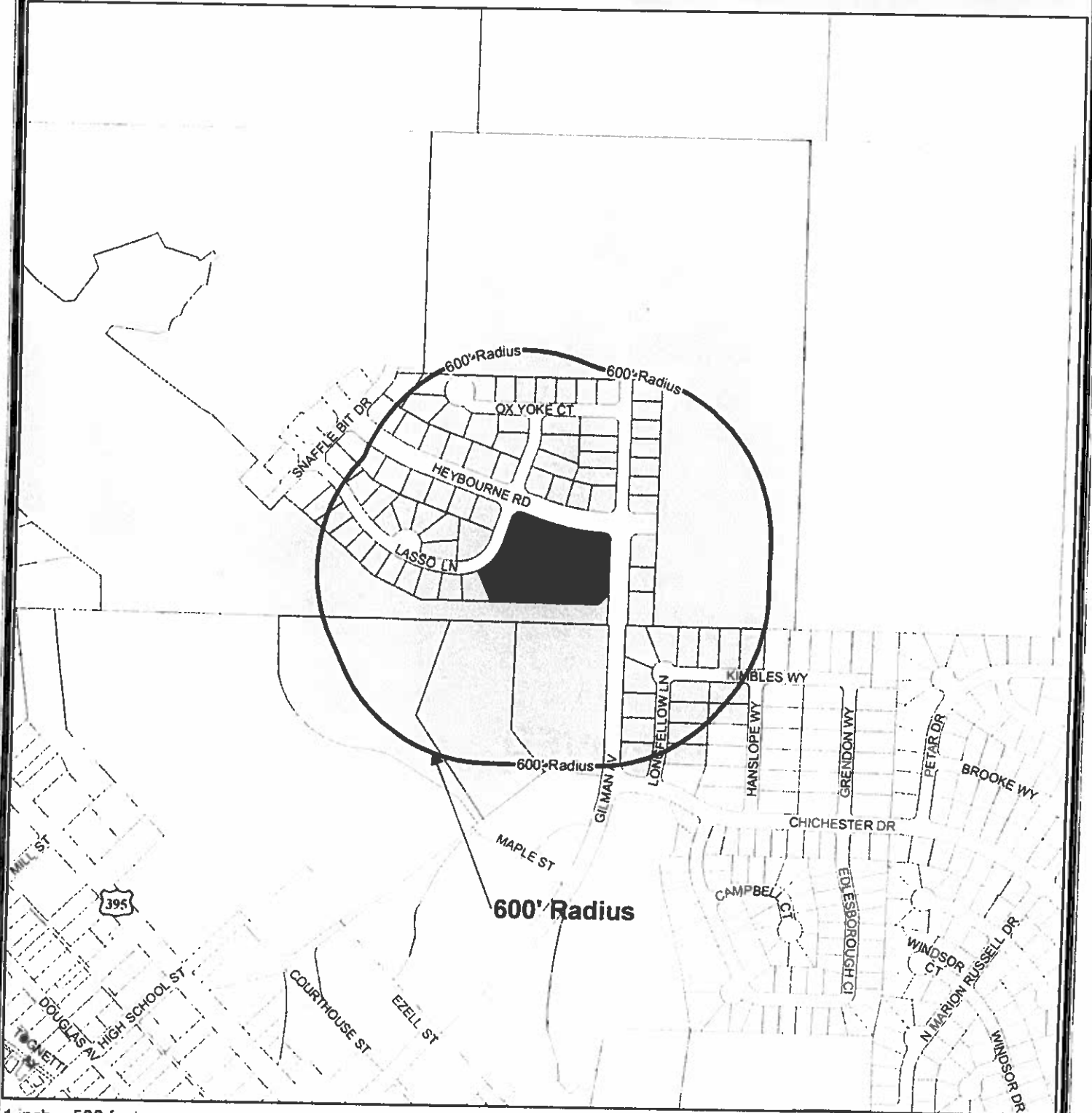
page 17 of 17  
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# Douglas County Noticing Radius Map

600' Radius

APN: 1320-33-210-069

PC ATTACHMENT 2



1 inch = 500 feet

Print Date: 2/23/2015

## Legend

— Noticing Radius    ■ Subject Parcel(s)    □ Parcels Within noticing Radius

The data contained herein has been compiled on a geographic information system for the use of Douglas County. The data does not represent survey delineation and should not be construed as a replacement for the authoritative source, plat maps, deeds, resurveys, etc. No liability is assumed by Douglas County as to the sufficiency or accuracy of the data.





Appeal 15-003, Aerial View of Esplanade at the Ranch Subject Site



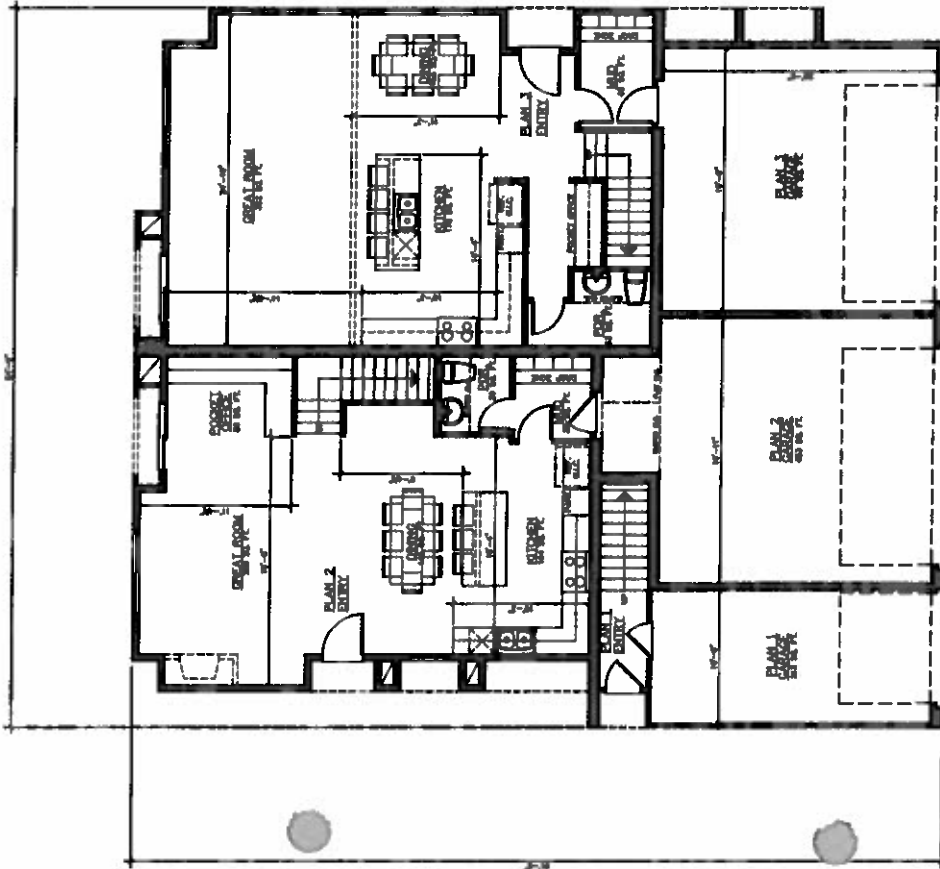




# Esplanade at The Ranch - Conceptual Site Plan

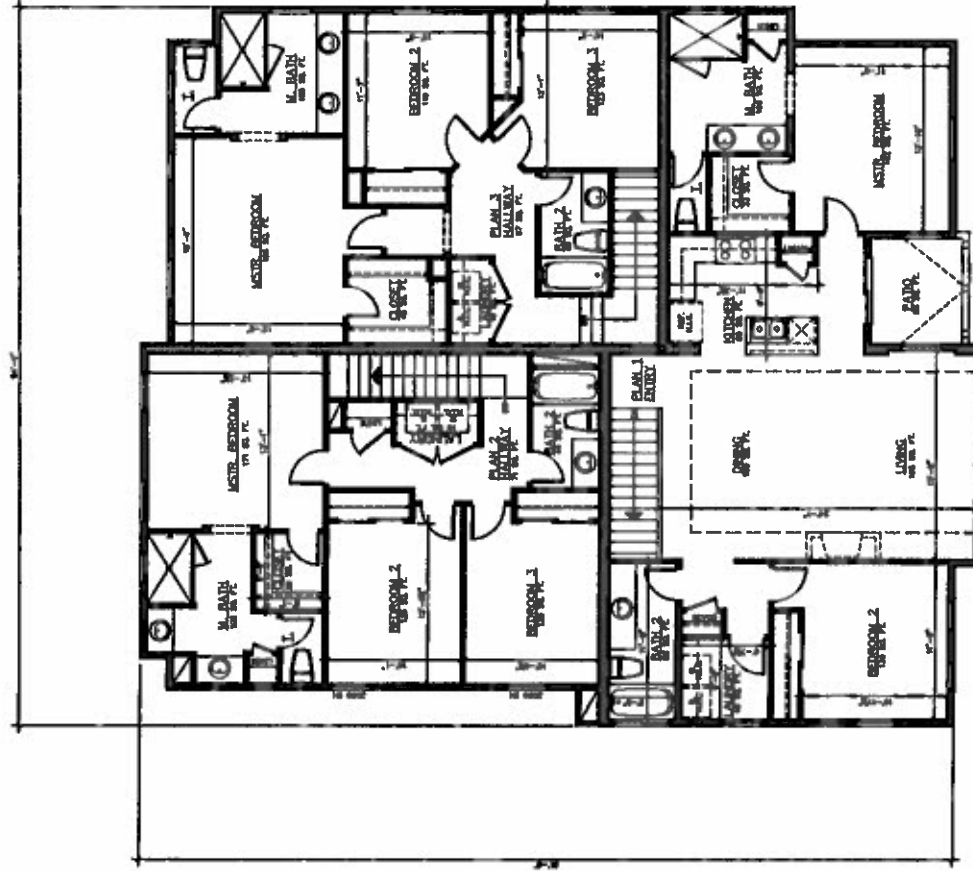






ESPLANADE AT THE RANCH  
BUILDING TYPE A - MAIN FLOOR PLAN

PLAN 1 1ST FLOOR LIVING AREA - 67.82 SQ. FT.  
PLAN 1 2ND FLOOR LIVING AREA - 1,233.39 SQ. FT.  
PLAN 1 TOTAL LIVING AREA - 1,291.21 SQ. FT.



ESPLANADE AT THE RANCH  
BUILDING TYPE A - UPPER FLOOR PLAN

PLAN 3 1ST FLOOR LIVING AREA - 932.68 SQ. FT.  
PLAN 3 2ND FLOOR LIVING AREA - 688.84 SQ. FT.  
PLAN 3 TOTAL LIVING AREA - 1,620.84 SQ. FT.



# EXTERIOR ELEVATION NOTES

1. ALL MATERIALS TO BE SUPPLIED BY THE ARCHITECT.  
2. ALL MATERIALS TO BE INSTALLED BY THE ARCHITECT.  
3. ALL MATERIALS TO BE MAINTAINED BY THE ARCHITECT.  
4. ALL MATERIALS TO BE REPAIRED BY THE ARCHITECT.  
5. ALL MATERIALS TO BE REPLACED BY THE ARCHITECT.  
6. ALL MATERIALS TO BE REMOVED BY THE ARCHITECT.  
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8. ALL MATERIALS TO BE MODIFIED BY THE ARCHITECT.  
9. ALL MATERIALS TO BE FINISHED BY THE ARCHITECT.  
10. ALL MATERIALS TO BE PROTECTED BY THE ARCHITECT.

11. ALL MATERIALS TO BE COLORED BY THE ARCHITECT.  
12. ALL MATERIALS TO BE TEXTURED BY THE ARCHITECT.  
13. ALL MATERIALS TO BE PATTERNOED BY THE ARCHITECT.  
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36. ALL MATERIALS TO BE GREASED BY THE ARCHITECT.  
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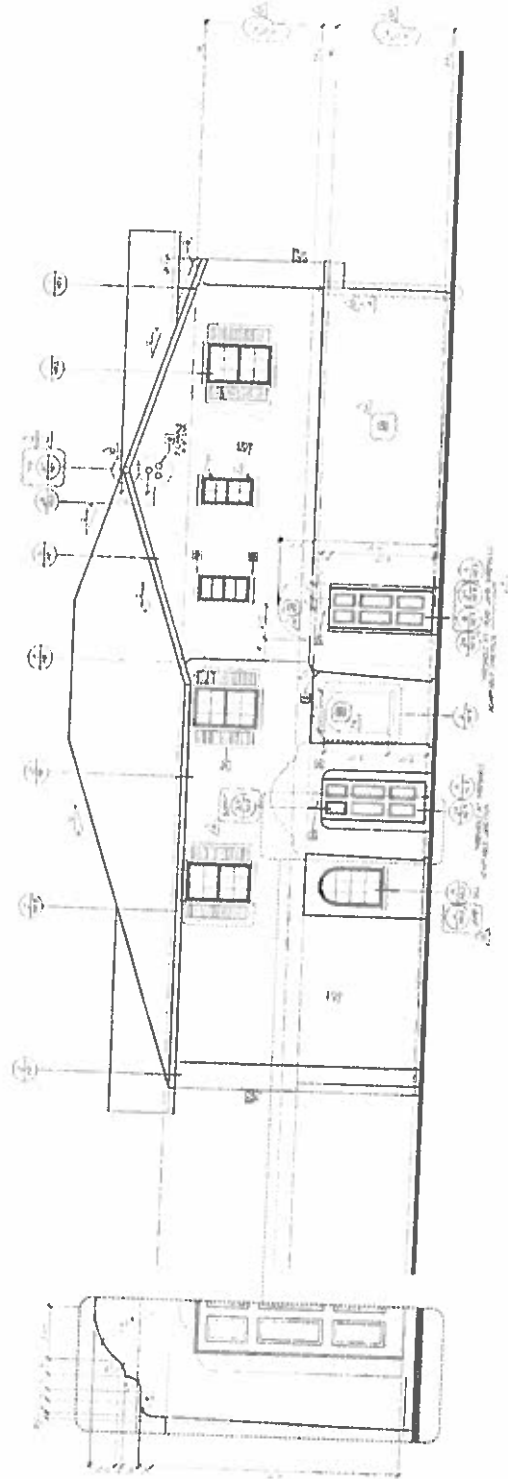
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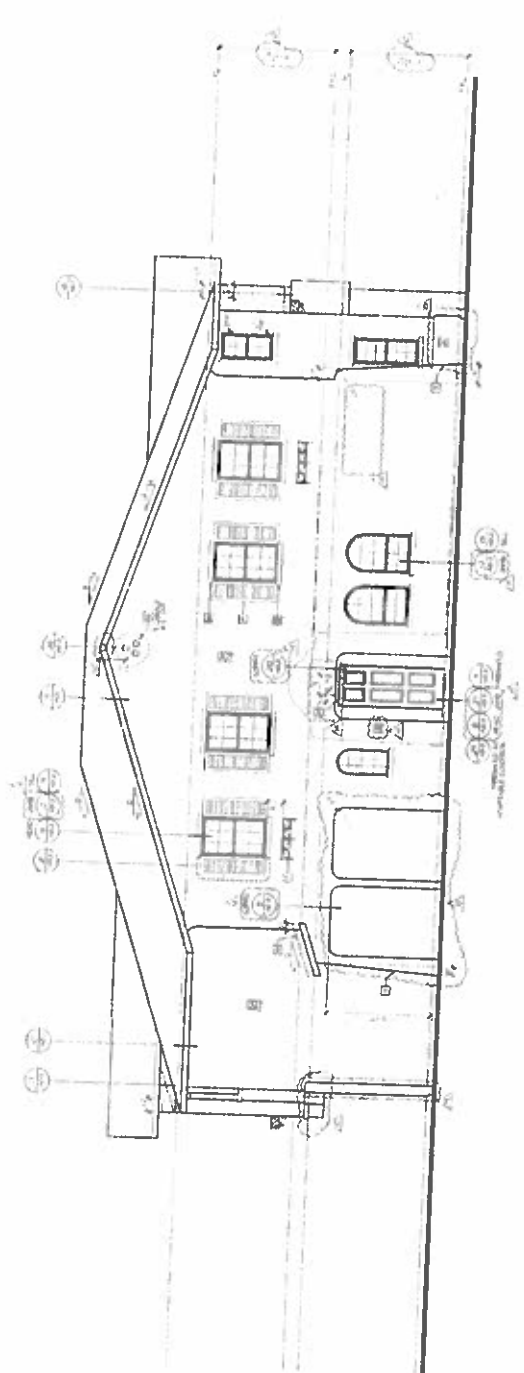
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## Esplanade at The Ranch



3 Building Type A- Left Elevation

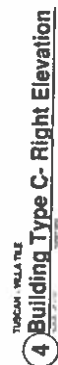


4 Building Type A- Right Elevation



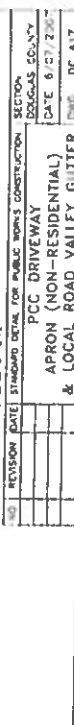


## Esplanade at The Ranch













January 7, 2015

**Douglas County Community Development**  
Attn: Dirk Goering, Junior Planner  
1594 Esmeralda Avenue / PO Box 218  
Minden, NV 89423

**Re: Gardnerville Town Board Recommendation on development application for a Major Design Review (DA-14-047) requested by Ken Hendrix, KDH Builders, for a 41 unit multi-family housing project which includes thirteen (13) triplexes and one (1) duplex. The subject property is located at Heybourne Road and Gilman Avenue in the MFR (Multi-family residential) zoning district within the Minden Gardnerville Community Plan.**

The Gardnerville Town Board took action at January 6<sup>th</sup> Town Board meeting and conditionally Approve the Design review application for the Multi-Family Residential development with the following conditions, as discussed during the meeting;

1. Provide pedestrian ramps at Gilman Ave driveway entrances along with a ramp at the sidewalk entrance to the private road at the "T" intersection within the development.
2. Provide on the improvement plans refuse tote pick up locations. The typical detail on the south side along the sidewalk needs to ensure there is adequate pedestrian access around the totes which are located on the sidewalk.
3. The future ditch needs to be constructed and no longer bonded as it will need to be used prior to this development going in. All irrigation and/or storm water conveyance facilities shall be piped, with exception of the Martin Slough and Park ditch. The Park ditch needs to extend from Gilman to the Martin Slough ditch. Ditch maintenance path and pedestrian access shall be provided. The ditch needs to be constructed prior to the site improvements going in.
4. Stop signs, street signage, and lights should be decorative in nature to match town standards.
5. Provide bike lane transition at the south edge of the project on Gilman Lane, or extend the bike lane to allow parking to Chichester Drive.
6. Provide information on the catch basin inserts, provide a maintenance and operations plan which will be reviewed and approved by town staff in the final hydrology report. Onsite and discharge storm drain facilities proposed are required to be maintained privately, including but not limited to storm water treatment devices, piping, catch basins, and retention/detention ponds, that will convey runoff into the town maintained storm drain system. Adequate funding for perpetual maintenance of such facilities must be demonstrated in the plan.
7. Indicate the location for mail delivery on this project.
8. Identify a construction route for the project. This project exceeds the town board expectations of the development through phases 2b to be constructed using Chichester Drive as a construction access route. This site was set for phase 7B and an alternative route needs to be provided. A construction route needs to be identified at the improvement plan review phase. Maybe partner with the Ranch developers and

remove the Gilman concrete median for access off the highway during short truck runs of fill material from south valley if another route cannot be identified.

9. The town will **not** accept dedication or maintenance of neighborhood monument signs, fences, and driveways, private streets or commercial driveways.
10. The following Standard Town Conditions of Approval shall apply:
  - a. All administrative, engineering, or legal fees incurred by the town in connection with reviewing the project shall be reimbursed and paid to the town.
  - b. Improvement plans shall be reviewed and approved by the town's engineer.
  - c. All drainage and agriculture irrigation facilities shall be piped and placed in the public right-of-way, *with the exception of Martin Slough and Park Ditch which shall remain open in this project.*
  - d. Construction runoff and dewatering practices shall be in accordance with the appropriate permits obtained from the Nevada Division of Environmental Protection. Discharge into existing town storm drain systems will only be allowed upon written approval from the town, and will be subject to discharge quality and storm drain cleaning requirements as set forth by the town.
  - e. Maintenance plans and level of service for landscape areas proposed for care by a homeowner's association are required to be submitted for review and approval by the town board, who will either recommend approval or denial of the maintenance plan to the Board of County Commissioners.
  - f. Any damage to the town's existing infrastructure, including, but not limited to, streets, curb and gutter, sidewalks, or drainage systems caused by the development of the project shall be repaired or replaced by the developer prior to final approval of the constructed development.

If you have any questions or comments or require additional information, please do not hesitate to contact me at 782-7134.

Sincerely,



Thomas A. Dallaire, P.E.  
Gardnerville Town Manager

**COMMUNITY DEVELOPMENT**

1594 Esmeralda Avenue, Minden, Nevada 89423

**Mimi Moss**

COMMUNITY DEVELOPMENT DIRECTOR

775-782-6201

FAX 775-782-6297

website: www.douglascountynv.gov

Planning Division  
 Engineering Division  
 Building Division  
 Code Enforcement

February 13, 2015

MAIL DELIVERED

Ken Hendrix, Manager  
 Jenuane Communities, The Ranch LLC  
 18124 Wedge Parkway  
 Reno, NV 89511

FILED  
 NO. \_\_\_\_\_  
 2015 FEB 13 PM 3:30  
 DOUGLAS COUNTY  
 CLERK  
 BY \_\_\_\_\_ DEPUTY

RE: Major Design Review for Esplanade at the Ranch (ref. DA 14-047) for Ken Hendrix, Located at the southwest corner of Gilman Avenue and Heybourne Road, Gardnerville, NV; APN: 1320-33-210-069.

Dear Mr. Hendrix:

On February 13, 2015, the Douglas County Community Development Department conditionally approved your design review application for a 41 unit multi-family development. The subject property is located at the southwest corner of Gilman Avenue and Heybourne Road in the Multi-Family Residential (MF) zoning district within the Minden-Gardnerville Community Plan (APN: 1320-33-210-069).

This approval is subject to the following conditions:

**THE FOLLOWING CONDITION(S) MUST BE MET PRIOR TO THE SUBMITTAL OF A SITE IMPROVEMENT PERMIT OR BUILDING PERMIT:**

**Planning Division Condition(s)**

1. The applicant must provide evidence that the GIS Department has approved any new street names or addresses.

**THE FOLLOWING CONDITION(S) MUST BE MET AT THE TIME OF THE SUBMITTAL OF A SITE IMPROVEMENT PERMIT OR BUILDING PERMIT:**

**Engineering Division Condition(s)**

2. The applicant must submit plans and supporting documents for review and approval. Plans and documentation must be in conformance with the Douglas County Design Criteria and Improvement Standards (DCDCIS) including the following project specific items:
  - a. Civil improvement plans must be submitted in conformance with Division 7 *Improvement Plans*.

- b. The minimum public utility easement width shall be 20 feet centered over the private drive pavement section. The pavement design for interior drive aisles shall be designed to meet requirements of Division 2.12.11 Asphalt Concrete Structural Sections and East Fork Fire and Paramedic District.
- c. Intersection sight distance requirements per Division 2.12.2.(4) Street Intersections shall be implemented for design of private roads intersecting with public roadways and also at each public road intersection around the perimeter of the property. All proposed on-street parking spaces shall demonstrate that clear site triangle requirements have been met.
- d. No street cuts on Gilman Avenue or Lasso Lane for three years from paving per Douglas County Code Chapter 18.07.100.C from Title 18. Gilman Avenue was constructed in March, 2012, so no street cuts on Gilman until March, 2015. Applicant shall utilize existing stubs to property.
- e. Ensure the "Ditch" to the south of the subject project site is constructed and accepted by the Town of Gardnerville prior to issuance of any building permit for the multifamily development.
- f. At the intersection with public streets, a standard size and design traffic sign shall be installed which says, "PRIVATE STREET NOT MAINTAINED BY COUNTY" per Division 2.12.10 in the Douglas County Design Criteria and Improvement Standards manual.
- g. Provide balanced street on Gilman Avenue of 8 foot parking lane, 4 foot bike lane and 11 foot travel lane.
- h. Regional road improvements required under the approval of PD 04-008-4 (including Heybourne Road (through Phase IIA), and emergency access road (along Heybourne Road alignment to Zerolene Road, then west on Zerolene Road to the western boundary (corner) of Phase IIIC)), shall be constructed and approved by the County Engineer and East Fork Fire and Paramedic District, prior to issuance of any building permit for the multifamily development (Phase VIIB).
- i. Standard size and design traffic signs shall be installed along interior private roads spaced according to the Manual of Uniform Traffic Control Devices that shall read "NO ON STREET PARKING ALLOWED".
- j. Final technical drainage report and plans must meet the requirements of Division 6 *Storm Drainage* and Appendix D *Storm Drainage Details*. The plans must show all necessary drainage easements and identify them as public or private.
- k. The Applicant shall provide means of water quality treatment to storm drain system prior to discharging from property as approved by the Water Conveyance Advisory Committee on October 4, 2004. A water quality maintenance plan and program shall be incorporated in the technical drainage report, as required by Section 20.100.070.F in County Code. The maintenance plan shall demonstrate efficiency of water quality treatment and the program shall outline mitigation and maintenance measures. This shall be reviewed and approved by the County Engineer and Town of Gardnerville. An annual inspection report of the water quality treatment facility shall be provided to the Town of Gardnerville on an annual basis with submittal required by the first Monday of the year.
- l. Final soil (geotechnical) report and plans must meet the requirements of Division 3 *Soils Engineering Report*.
- m. The development will be served by a public sewer system and the applicant must comply with the following:
  - i) The "Sewer Will Serve" letter or other letter of intent to serve.

- ii) Sewer improvements must meet the requirements of Division 5 *Sewer System* and Appendix C *Sewer System Details*, or other applicable agency standards.
- n. The development will be served by a public water system and the applicant must comply with the following:
  - i) The "Water Will Serve" letter or other letter of intent to serve.
  - ii) Water lines must meet the requirements of Division 4 *Water Systems* and Appendix B *Water System Details* or other applicable agency standards. Ensure 3 valves at all tee intersections on waterline.

**Planning Division Condition(s)**

- 3. The applicant must submit revised site plans for review and approval. The plans must be in conformance with the Douglas County Code (DCC), Title 20, and the Douglas County Design Criteria and Improvement Standards (DCDCIS) including the following project specific items:
  - a. Final landscape and irrigation plans stamped by a licensed architect, landscape architect, landscape contractor, or civil engineer. Landscape and irrigation plans must be consistent with both the DCDCIS and DCC, Title 20, Chapter 20.694 *Landscape Standards*, and Section 20.692.080 (D) *Parking lot landscape standards*.
  - b. Identify the location and dimensions of all exterior utility meters, transformers, satellite dishes, HVAC equipment, solar panels, and other utility or mechanical equipment.
    - i) All equipment installed on the ground must be screened with dense landscaping and/or approved solid fencing.
  - c. Bike rack location and detail plan. A minimum of 8 bicycle rack spaces must be provided in accordance with DCC, Title 20, Section 20.692.080 (E) *Bicycle parking*.
  - d. The driveway approaches shall be denoted to a minimum depth of 10 feet with interlocking pavers, stones, or other similar treatments.
- 4. The applicant must submit revised architectural plans for review and approval. The plans must be in conformance with the Douglas County Code (DCC), Title 20, and Douglas County Design Criteria and Improvement Standards (DCDCIS) including the following project-specific items:
  - a. Identify the location and dimensions of all exterior utility meters, transformers, roof-top equipment, roof access ladders, satellite dishes, HVAC equipment, solar panels, and other utility or mechanical equipment.
    - i) All roof-mounted or elevated equipment must be fully screened from all sides of the building by means of parapet walls that are at least as high as the top of the units or other acceptable architectural elements.
- 5. The applicant must submit a lighting plan in conformance with the Douglas County Code (DCC), Title 20, and Douglas County Design Criteria and Improvement Standards (DCDCIS) plan showing the location, type, and detail of all exterior light fixtures as follows:
  - a. Exterior lighting (photometric) plan consisting of point-by-point foot candle layout (based on a ten-foot grid center) extending a minimum of 20 feet outside the property lines required by the director shall be prepared by an electrical engineer registered in the state.
    - i) Lighting must be placed so light does not spill over onto abutting properties.
  - b. Light sources must be contained entirely within the fixture housing and be directed downward.

- c. Light bulbs must be completely recessed within the fixture or within the ceiling of a structure, such that there is less than 90-degree candle luminance cutoff and no excess light spillover into neighboring properties.
  - d. The maximum parking lot fixture height is 15 feet within 100 feet of a residential zoning district and 25 feet in all other areas.
  - e. Exterior lighting for hillside development may require additional measures for shielding.
  - f. Lights identified as "Night Sky Friendly" are preferred.
6. The applicant must comply with conditions placed on the project by the Town of Gardnerville pursuant to its letter dated January 7, 2015 (*See Attachment 1*).
7. The applicant must submit a receipt from the applicable fire district indicating that plans have been submitted for review and approval.
8. Per Section 20.664.120, a second story balcony needs to be a minimum of 75 square feet in area (floor plan sheets are not numbered).
9. Per 2012 IBC Chapter 1106.1 two handicap spaces are required.
10. Per 2012 IBC Chapter 1106.1 two dwelling units must be handicap accessible.
11. Per Section 20.694.100, 15% of the total paved area devoted to parking and driveways areas must be offset by pervious areas of landscaping. A landscaping exhibit must be provided to demonstrate compliance. The exhibit needs to identify which areas make up the parking and driveway areas and the total square footage. "Parking areas:" Those are including parking lots, driveways, drive aisles, loading and unloading spaces, and all other areas necessary to move vehicles in and out of required parking spaces.
12. The applicant must provide an ADA cross walk between the guest parking on Cinch Trail and the sidewalk along Concho Drive.
13. Per County's Design Manual Standard 4.2.8 a dense hedge shall be provided between building #4 and the guest parking spaces on Cinch Trail.
14. Per County's Design Manual Standard 4.7.2 a 6-foot landscape area along Heybourne Road (perimeter landscaping) is required. The 6-foot landscape area is not provided behind buildings #1-3.

**THE FOLLOWING CONDITION(S) MUST BE COMPLETED PRIOR TO THE ISSUANCE OF A SITE IMPROVEMENT PERMIT OR BUILDING PERMIT:**

**Engineering Division Condition(s)**

15. The applicant must submit receipts from the Town of Minden and Minden-Gardnerville Sanitation District for water and sewer service.

**Building Division Condition(s)**

16. The applicant must submit plans to the respective Fire District for review and obtain approval.

**THE FOLLOWING CONDITION(S) MUST BE COMPLETED PRIOR TO THE ISSUANCE OF A NOTICE OF COMPLETION OR CERTIFICATE OF OCCUPANCY:**

**Engineering Division Condition(s)**

17. Applicant shall record a private road easement and public utility easement over all interior roads proposed.
18. Applicant shall provide a recorded copy of CC & R's for the maintenance of all private roads in the development.
19. Applicant shall record public utility easements over all water meter boxes, fire hydrants, and other utilities as needed to serve the buildings.

**Planning Division Condition(s)**

20. The applicant must comply with all underlying conditions of approval for the previously approved PD 04-008-4 shall be completed.
21. The applicant must provide handicapped parking spaces, access aisles, loading zones, and ramps that comply with the Americans with Disabilities Act (ADA) and CABO/ANSI standards.
22. The applicant must submit any modifications to the approved Design Review to the Community Development Department for review. All modifications must be clouded or otherwise identified on the plans and within the revision block. All revisions are subject to applicable review requirements and fees.
23. The applicant must paint all metal doors, downspouts, and other exposed metal surfaces (e.g. delivery doors, roof flashings, etc.) with a non-glossy paint to match the exterior color of the building. Metal surfaces that are glossy when new but designed to weather and gain a patina with age are not required to be painted.
24. Any request for changes or modifications to the approved landscape and irrigation plans must be submitted in writing by the applicant, the modified plans sealed and signed by their preparer, to the Planning Division prior to installation and final inspection.



25. If any damage to existing roads is caused by the transporting of construction equipment or materials by the applicant or any contractor of the applicant, the applicant must repair the roads to their prior condition upon notification in writing by the Community Development Department.

**THE FOLLOWING CONDITION(S) ARE GENERAL CONDITIONS APPLICABLE THROUGHOUT THE LIFE OF THE PROJECT:**

**Engineering Division Condition(s)**

26. The applicant must maintain all on-site storm drainage facilities. Obstructing the flow or altering the course of a drainage channel is prohibited unless permitted by an authorizing agency.

**Planning Division Condition(s)**

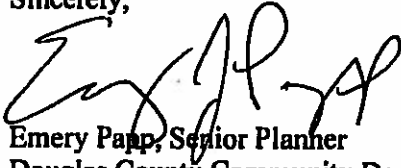
27. The owner must perpetually maintain all landscaping. Plants must be removed and replaced if dead or diseased and planter borders and concrete curbing must be promptly removed and replaced if damaged. All landscaped areas abutting driveways, drive aisles, parking stalls, etc. must be protected by a standard Type 1 concrete curb.
28. Perimeter landscaping along the interior property lines must be separated from the adjacent property by use of a concrete curb or an at least one inch thick redwood header board.
29. The applicant must submit any modifications to the approved project exterior lighting to the Community Development Department for review and approval. The County may require shielding, replacement, or removal of fixtures as necessary to reduce significant off-site impacts of lighting.
30. No signs are approved for this project. The applicant must submit a separate application for signage to the Community Development Department.
31. The applicant must maintain the site free of weeds, trash, and other debris.
32. This is the final decision regarding your Development Application for a Design Review. This approval will expire if the project is not inaugurated within two years of the date of this letter. Extensions of time may be granted in accordance with Douglas County Code, Section 20.30.020.

Should you challenge any portion of this decision, you have until 3:00 PM, February 27, 2015, to file the Appeal of Decision application and applicable fees with the Community Development Department.

**To expedite the review process, please include a copy of this letter when submitting for a building permit or site improvement permit.**

If you should have any questions, please contact me at (775) 782-9012.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emery Papp', written over the printed name.

Emery Papp, Senior Planner  
Douglas County Community Development

**Attachments**

1. Gardnerville Town Board Approval Letter, dated January 7, 2015

**Cc:**

Centennial Exchange Company, LLC  
Stephanie Hicks, R.O. Anderson Engineering, Inc.  
Barbra Resnik, Civil Engineer II  
Douglas County Clerk  
File: PD 04-008-7  
File: PD 04-008  
File: DA 14-047



January 7, 2015

Douglas County Community Development  
Attn: Dirk Goerling, Junior Planner  
1594 Esmeralda Avenue / PO Box 218  
Minden, NV 89423

**Re: Gardnerville Town Board Recommendation on development application for a Major Design Review (DA-14-047) requested by Ken Hendrix, KDH Builders, for a 41 unit multi-family housing project which includes thirteen (13) triplexes and one (1) duplex. The subject property is located at Heybourne Road and Gilman Avenue in the MFR (Multi-family residential) zoning district within the Minden Gardnerville Community Plan.**

The Gardnerville Town Board took action at January 6<sup>th</sup> Town Board meeting and conditionally Approve the Design review application for the Multi-Family Residential development with the following conditions, as discussed during the meeting;

1. Provide pedestrian ramps at Gilman Ave driveway entrances along with a ramp at the sidewalk entrance to the private road at the "T" intersection within the development.
2. Provide on the improvement plans refuse tote pick up locations. The typical detail on the south side along the sidewalk needs to ensure there is adequate pedestrian access around the totes which are located on the sidewalk.
3. The future ditch needs to be constructed and no longer bonded as it will need to be used prior to this development going in. All irrigation and/or storm water conveyance facilities shall be piped, with exception of the Martin Slough and Park ditch. The Park ditch needs to extend from Gilman to the Martin Slough ditch. Ditch maintenance path and pedestrian access shall be provided. The ditch needs to be constructed prior to the site improvements going in.
4. Stop signs, street signage, and lights should be decorative in nature to match town standards.
5. Provide bike lane transition at the south edge of the project on Gilman Lane, or extend the bike lane to allow parking to Chichester Drive.
6. Provide information on the catch basin inserts, provide a maintenance and operations plan which will be reviewed and approved by town staff in the final hydrology report. Onsite and discharge storm drain facilities proposed are required to be maintained privately, including but not limited to storm water treatment devices, piping, catch basins, and retention/detention ponds, that will convey runoff into the town maintained storm drain system. Adequate funding for perpetual maintenance of such facilities must be demonstrated in the plan.
7. Indicate the location for mail delivery on this project.
8. Identify a construction route for the project. This project exceeds the town board expectations of the development through phases 2b to be constructed using Chichester Drive as a construction access route. This site was set for phase 7B and an alternative route needs to be provided. A construction route needs to be identified at the improvement plan review phase. Maybe partner with the Ranch developers and

remove the Gilman concrete median for access off the highway during short truck runs of fill material from south valley if another route cannot be identified.

9. The town will not accept dedication or maintenance of neighborhood monument signs, fences, and driveways, private streets or commercial driveways.
10. The following Standard Town Conditions of Approval shall apply:
  - a. All administrative, engineering, or legal fees incurred by the town in connection with reviewing the project shall be reimbursed and paid to the town.
  - b. Improvement plans shall be reviewed and approved by the town's engineer.
  - c. All drainage and agriculture irrigation facilities shall be piped and placed in the public right-of-way, *with the exception of Martin Slough and Park Ditch which shall remain open in this project.*
  - d. Construction runoff and dewatering practices shall be in accordance with the appropriate permits obtained from the Nevada Division of Environmental Protection. Discharge into existing town storm drain systems will only be allowed upon written approval from the town, and will be subject to discharge quality and storm drain cleaning requirements as set forth by the town.
  - e. Maintenance plans and level of service for landscape areas proposed for care by a homeowner's association are required to be submitted for review and approval by the town board, who will either recommend approval or denial of the maintenance plan to the Board of County Commissioners.
  - f. Any damage to the town's existing infrastructure, including, but not limited to, streets, curb and gutter, sidewalks, or drainage systems caused by the development of the project shall be repaired or replaced by the developer prior to final approval of the constructed development.

If you have any questions or comments or require additional information, please do not hesitate to contact me at 782-7134.

Sincerely,



Thomas A. Dallaire, P.E.  
Gardnerville Town Manager



**COMMUNITY DEVELOPMENT**

1594 Esmeralda Avenue, Minden, Nevada 89423

**Mimi Moss**

COMMUNITY DEVELOPMENT DIRECTOR

775-782-6201

FAX 775-782-6297

website: [www.douglascountynv.gov](http://www.douglascountynv.gov)

Planning Division  
Engineering Division  
Building Division  
Code Enforcement

March 16, 2015

MAIL DELIVERED

Ken Hendrix, Manager  
Jenuane Communities, The Ranch LLC  
18124 Wedge Parkway  
Reno, NV 89511

**RE: Responses to requested clarifications of the conditions of approval for DA 14-047, a Major Design Review for Esplanade at the Ranch**

Dear Mr. Hendrix:

On February 13, 2015, staff conditionally approved a major design review application for a 41 unit multi-family development located at the southwest corner of Gilman Avenue and Heybourne Road in the Multi-Family Residential (MF) zoning district. On February 27, 2015, an appeal was filed by R.O. Anderson on your behalf, with the intent of clarifying some of the conditions of approval. The conditions listed below are specified in the February 27, 2015 letter, and are followed by staff's clarification of each condition:

**Engineering Division Condition(s)**

2. The applicant must submit plans and supporting documents for review and approval. Plans and documentation must be in conformance with the Douglas County Design Criteria and Improvement Standards (DCDCIS) including the following project specific items:
  - b. The minimum public utility easement width shall be 20 feet centered over the private drive pavement section. The pavement design for interior drive aisles shall be designed to meet requirements of Division 2.12.11 Asphalt Concrete Structural Sections and East Fork Fire and Paramedic District.

**Applicant's Request:** "The applicant is requesting a modification to the condition. The applicant requests that the required easement be specific to the utility, such as a water line easement, instead of a general public utility easement."

**Staff Response:** *Staff is concerned that specifying utilities that may use the easement could then preclude other utility(ies) from locating within the easement. Multiple utilities may use this public utility easement provided there is adequate space to separate the utilities pursuant to regulatory, local, or industry standards.*

- d. No street cuts on Gilman Avenue or Lasso Lane for three years from paving per Douglas County Code Chapter 18.07.100.C from Title 18. Gilman Avenue was constructed in March, 2012, so no street cuts on Gilman until March, 2015. Applicant shall utilize existing stubs to property.

**Applicant's Request:** "The applicant is requesting clarification as to when Lasso Lane was constructed and may be cut. Additionally, the applicant is proposing a modification to the last sentence to read, 'On Lasso Lane, applicant shall utilize existing stubs to property or will construct new stubs.' We do not believe there are any existing stubs on Gilman."

**Staff Response:** *The three year mark for a street cut on Lasso Lane will be November 11, 2016. The applicant may use the existing stubs on Lasso Lane, or may construct new stubs at the applicant/owner's cost.*

- g. Provide balanced street on Gilman Avenue of 8 foot parking lane, 4 foot bike lane and 11 foot travel lane.

**Applicant's Request:** "Since parking is no longer proposed on Gilman, this condition is no longer applicable. Therefore, we respectfully request it be removed.

**Staff Response:** *The applicant/owner has indicated that there will be no parking on Gilman Avenue. However, if parking on Gilman Avenue becomes necessary to meet the project's parking demand, then Gilman Avenue shall be restriped to accommodate parking lanes, bike lanes, and through traffic lanes on both sides of Gilman Avenue to the satisfaction of the County Engineer.*

#### **Planning Division Condition(s)**

3. The applicant must submit revised site plans for review and approval. The plans must be in conformance with the Douglas County Code (DCC), Title 20, and the Douglas County Design Criteria and Improvement Standards (DCDCIS) including the following project specific items:

- d. The driveway approaches shall be denoted to a minimum depth of 10 feet with interlocking pavers, stones, or other similar treatments.

**Applicant's Request:** "This condition does not specify whether the reference is to the access driveways/drive aisles in individual driveways for each unit. The applicant is requesting that this condition be clarified to state, "driveway approaches at the intersections of Lasso Lane and Gilman."

**Staff Response:** *The intent of this condition is to provide for enhanced pavement at the intersections of public streets and private drives, at a depth of 10 feet at the intersections of Cinch Trail at Lasso Lane, Concho Drive at Lasso Lane, and Concho Drive at Gilman Avenue.*

10. Per 2012 IBC Chapter 1106.1. two dwelling units must be handicap accessible.

**Applicant's Request:** "The applicant is requesting that this condition be modified to state, 'two dwelling units must be constructed so that they may be convertible to handicap accessible units.'"

**Staff Response:** *It is anticipated that 2 units must be accessible units, based on the currently adopted code in effect. However, the actual number of accessible units shall be determined by the Building Official, based on the currently adopted Building Code in effect at the time construction drawings are submitted for plan check.*

14. Per County's Design Manual Standard 4.7.2 a 6-foot landscape area along Heybourne Road (perimeter landscaping) is required. The 6-foot landscape area is not provided behind buildings #1-3.

**Applicant's Request:** "Per previous discussions with Senior Planner Emery Papp, the sidewalk may be included in the 6-foot landscape area. Therefore, the last sentence should be struck from this condition."

**Staff Response:** *Internal private sidewalks may be connected perpendicular to perimeter public sidewalks through required landscaped areas only to allow for easy access to units fronting on Lasso Lane where street parking is permitted. Staff's previous discussions are not to be interpreted as meaning the required landscaped area may be replaced with sidewalks. The last sentence of condition number 14 is no longer applicable provided the revision for the 6-foot wide landscaped area behind buildings 1 and 3 is made on all plan sheets and not just the Site Plan.*

#### **Engineering Division Condition(s)**

17. Applicant shall record a private road easement and public utility easement over all interior roads proposed.

**Applicant's Request:** "A private road was not approved for this project. Therefore, the condition to record a private road easement should be removed. Additionally, similar to Condition 2b., the applicant requests that the required easement be specific to the utility, such as a water line easement, instead of a general public utility easement."

**Staff Response:** *Staff requests that the applicant record a private access easement over Concho Drive and Cinch Trail. Staff is concerned that specifying utilities that may use the easement could then preclude other utility(ies) from locating within the easement. Multiple utilities may use this public utility easement provided there is adequate space to separate the utilities pursuant to regulatory, local, or industry standards.*

18. Applicant shall provide a recorded copy of CC & R's for the maintenance of all private roads in the development.

**Applicant's Request:** "A private road was not approved for this project. Therefore, the condition should be modified to state public access driveways or drive aisles."



*Staff Response: The CC&Rs for the long term maintenance and operations for the life of the project are to reference the private driveways or drive aisles by name, e.g. Cinch Trail and Concho Drive. Doing so should resolve all potential for misinterpretation or other confusion.*

19. Applicant shall record public utility easements over all water meter boxes, fire hydrants, and other utilities as needed to serve the buildings.

Applicant's Request: "The applicant is requesting to clarify this condition to state, 'applicant shall record appropriate public utility easements ...' Again, the applicant does not object to the utility easements, but would prefer the easement be specific to the utility."

*Staff Response: Staff is concerned that specifying utilities that may use the easement could then preclude other utility(ies) from locating within the easement. Multiple utilities may use this public utility easement provided there is adequate space to separate the utilities pursuant to regulatory, local, or industry standards.*

**Planning Division Condition(s)**

20. The applicant must comply with all underlying conditions of approval for the previously approved PD 04-008-4 shall be completed.

Applicant's Request: "The applicant is proposing that the phrase, 'shall be completed,' be replaced with "as applicable to this parcel."

*Staff Response: This condition intends to specify that all underlying conditions of approval specific to parcel number 1320-33-210-069, and/or the milestones set forth in the phasing plan/unit counts for PD 04-008-4 shall be completed.*

It is my sincere hope that the clarifications provided for the above referenced conditions of approval are mutually acceptable and have met your needs for the project. If indeed these clarifications have addressed your concerns, please advise staff as to whether or not you wish to proceed with your appeal.

**To expedite the review process, please include a copy of this letter when submitting for a building permit or site improvement permit.**

If you should have any questions, please contact me at (775) 782-9012.

Sincerely,



Emery Papp, Senior Planner  
Douglas County Community Development



**Attachments**

1. Gardnerville Town Board Approval Letter, dated January 7, 2015

**Cc:**

Centennial Exchange Company, LLC  
Stephanie Hicks, R.O. Anderson Engineering, Inc.  
Barbra Resnik, Civil Engineer II  
Douglas County Clerk  
File: PD 04-008-7  
File: PD 04-008  
File: DA 14-047



# AMENDED PC ATTACHMENT 9 Walker & Associates

661 Genoa Lane, Minden, Nevada 89423

MODIFIED TO INCLUDE  
ALL PAGES 1-13 OF LETTER

MEMO TO: Douglas County Planning Commission

FROM: Steve and Mary Walker

DATE: April 6, 2015

RE: Greenstone and Park Cattle Company Application for Special Use Permit for Solar Industrial Plant between Muller Lane and Genoa Lane

## **Introduction:**

Steve and Mary Walker, residents of 661 Genoa Lane, Minden, Nevada requests the Douglas County Planning Commission deny the Development Application, File Number DA 15-013, being heard at the Planning Commission meeting on April 14, 2015 and requests the Planning Commission revisit the ordinance allowing solar industrial plants on A-19 pastureland.

The request for denial is based on the following;

## **20.604.060 Findings**

*When considering applications for a special use permit, the commission or board, where applicable, must evaluate the impact of the special use on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location*

The application to cover 240 acres of irrigated agriculture in the middle of Carson Valley with a solar industrial plant is not compatible with surrounding properties and neighborhoods because it places an industrial use in a pastoral setting. Replacing green fields with hundreds of acres of 15 foot shiny, metal photovoltaic panels surrounded by an 8 foot chain linked fence with 3 string barbed wire on top is not compatible with Carson Valley's beautiful green fields.

The residence currently most affected, besides future homes in the area, is the Walker residence located at 661 Genoa Lane directly on the northern boundary of the solar power plant. Residences who live in A-19 residential zoning expect to look over horse and cow pastures, meadows, agricultural uses and other houses to enjoy views of the mountains. People who live in the A-19 residential zoning district expect that the district will be residential and agricultural. They expect to live in a quiet, country setting. A field of thousands of 15 foot high shiny metal solar panels with an 8 foot chain link fence with 3 strings of barbed wire on the top is not consistent with the purpose of the zoning district. It is an incompatible use.

This is what the Greenstone Project will look like per their application.



Example of 15 foot industrial solar panels proposed to be placed on irrigated pastureland.

This is not compatible with the agricultural and residential neighborhood. It is an incompatible land use and activity which will have negative impact on residential living environments.

Policy 2.4 of the Land Use Element of the Master Plan states Douglas County shall use its planning and development regulations to protect residential neighborhoods from encroachment of incompatible activities or land uses which may have negative impact on residential living

environments. Allowing a Solar Photovoltaic Facility in the A-19 residential and agricultural zoning district is an incompatible use.

There is currently only one residence on the boundary of the project. Chapter 20.604.060 does not differentiate whether the chapter applies to 1 residential property or 100. The Chapter is for ALL properties. The Chapter does not discriminate against one property or another. It is established to protect ALL residential properties in the vicinity.

***20.604.060 H. The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.***

The Applicant has NOT met this finding. The Applicant states by merely adhering to the limited requirements of Section 20.668.260 Solar Photovoltaic Facility (including having a height of the solar photovoltaic unit not to exceed a height of 15 feet) the project will not result in material damage or prejudice to other property in the vicinity.

This is clearly wrong for the following reasons:

Residential Property Devaluation. The special use will result in material damage and prejudice to every residential home and residential housing site in the area. The existing residence currently most affected, besides surrounding A-19 residential lots, is the Walker residence located at 661 Genoa Lane directly on the northern boundary of the solar power plant. Residences who live in A-19 zoning expect to look over horse and cow pastures, meadows, agricultural uses and other houses to enjoy views of the mountains. People who live in the A-19 zoning district expect that the district will be residential and agricultural. A field of thousands of 15 foot high shiny metal solar panels with an 8 foot chain link fence with 3 strings of barbed wire on the top is not consistent with the purpose of the zoning district. It is an incompatible use.

The Walkers spoke to appraisers to try to define specifically the devaluation of their home if the proposed solar industrial plant were to be approved. Appraisers are not able to give an appraisal for a future development. However, ask yourself a question:

If you had two residential properties you were looking to buy and one had a 260 acre solar industrial plant with 8 foot high chain linked fences with 3 barbed wire on the top surrounding it and another property which looked out onto a lovely green field, which one would you take? The one with the lovely green field, of course. That means the project would materially damage the value of the property.

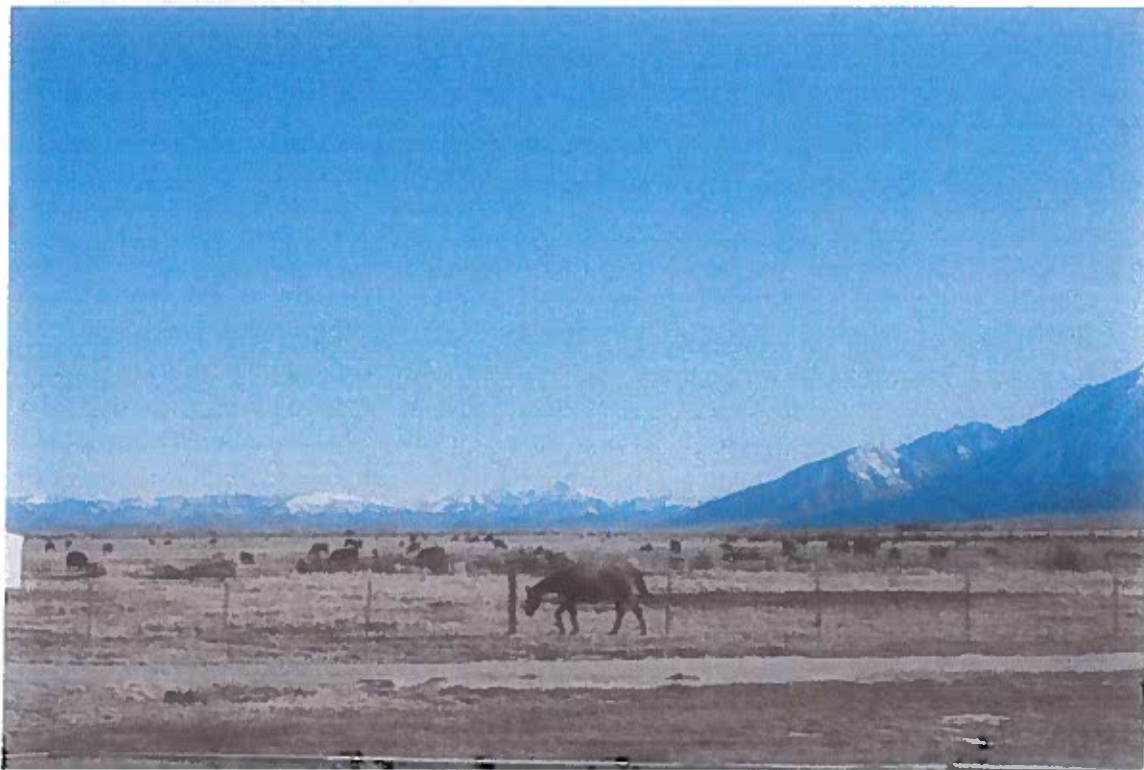
The Walkers have worked for almost 40 years for retirement. Their residence at 661 Genoa Lane was part of that retirement income since they would downsize and sell the property and live off the proceeds from the sale, as well other investments. The Greenstone solar industrial plant could mean the Walkers would not be able to ever sell their property. Their retirement income from the sale of their property they were relying on would be gone.

The Greenstone solar industrial plant will ruin the Walker's residence, their retirement income, their children's inheritance and their grandchildren's inheritance.

The Walkers would incur material damage due to this project.

There is currently only one residence on the boundary of the project. Chapter 20.604.060 H does not differentiate whether the material damage to other property is 1 property or 100. The Chapter is for ALL properties. The Chapter does not discriminate against one property or another. It is established to protect ALL properties in the vicinity.

Here is the current summer view from the Walker residence looking out onto the project area:



The existing ranch land is a cattle operation as you can see cattle grazing in the picture above. The applicant – Greenstone Renewables LLC, on page 3 – 6<sup>th</sup> bullet – of their application states:

***“Be located on land of low agricultural value, poor soil conditions and a limited history of productive agricultural activities.”***

The Douglas County Planning Department Staff Report dated 3/10/15 states -



***“The site is currently vacant and covered with native grass and sagebrush. The project area is considered to have low agricultural value due to poor soils.”***

As one can see by the attached Carson River Decree map, the recent photo showing active irrigation, the Douglas County Soils Map and photos of active agricultural use that these statements are not valid.

- 80% of the site is irrigated and producing pasture grasses. The soils map show approximately 50% of the area is within a Soils Capability Class of 3-W. The best soils in Carson Valley are Capability Class - 2. A portion of the area – estimated at 20% - see delineation on recent Google Photo – does have soil limitation and is not effectively irrigated. The area is dominated by Black Greasewood and Green Rabbit Brush with an Inland Saltgrass understory. There is not a sagebrush within a mile of the site. The remaining areas vary in soil capability class ranging from Class 4-W to Class 6-W but all are irrigated and producing pasture grasses.
- The same limited soils – Capability Class 6-W – were within the last decade leveled and put into border irrigation on the south end of the property adjacent to the MGSD reclaimed water storage ponds – see attached soils map/2014 Google Map.
- The Alpine Decree Water Rights appurtenant to the property – Claims 428, 429 and 432 have priority dates of 1858, 1895 and 1870 respectively – See Carson River Decree attached map. A recent investigation into the status of these rights indicates the point of diversion or place of use has not been moved since they were established. (reference Eric Schadeck, Water Resource Specialist , Division of Water Resources 4/1/15)
- Based on a 9/16/2008 contract with Minden Gardnerville Sanitation District the Parks are allocated 375 acre feet per year from the reclaimed water reservoirs immediately adjacent and up-gradient to the 260 acre parcel. The contract expires in 2077. (Reference Walker & Associates report to the Carson Water Subconservancy District on uses of reclaimed water in Carson River Watershed)
- Based on an Agricultural Economic Evaluation of the 260 acre property by Steve Walker, the revenue Park Cattle Company generates from the proposed site is approximately \$85,000 per year. It is an active, productive agricultural ranch. (See attached analysis)

Land irrigated since 1859 does not quite fit the description of **“limited history of agricultural activities”**. Pastureland with two source of irrigated surface water, one source adjacent to the irrigated pasture, is very rare in Carson Valley. The area is irrigated frequently due to these two sources of surface water. Steve and Mary Walker have lived within 200’ from the north end of the property for 12 years and the tail water from the irrigation back up and created shallow ponds just south of our residence every irrigation, creating great migratory inland shorebird and duck habitat. The pictures provided show cows grazing irrigated pasture further proves that the area is typical Carson Valley irrigated pasture.



#### 20.604.060 Findings

*When considering applications for a special use permit, the commission or board, where applicable, must evaluate the impact of the special use on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location*

Below are our responses to the specific required findings.

*A. The proposed use at the specified location is consistent with the policies embodied in the adopted master plan and the general purpose and intent of the applicable district regulations;*

The proposal conflicts with the policies within the Master Plan from Chapter 7 – Agricultural Element as follows:

*AG Policy 1.1 – Douglas County shall plan for the continuation of agriculture as a distinct and significant land use in the county.*

Greenstone has failed to meet this policy. Replacing irrigated pasture in the middle of Carson Valley with 260 acres of 15-foot tall shiny metal solar panels does not support the “**continuation of agriculture as a distinct and significant land use in the county.**” The proposal places an industrial use on irrigated agricultural land. How many compatible agricultural uses would require an 8-foot high chain link fence with 3 strands of barbed wire and DANGER signs surrounding the use? (Page 16 Greenstone Renewables application)

*AG Policy 1.4 Douglas County should encourage the industries that preserve and promote environmental quality, or serve the local needs of our community.*

Greenstone has failed to meet this policy. Replacing 260 acres of existing irrigated pasture with 260 acres of shiny, metal photovoltaic panels surrounded by a chain link security fence is not an effective way to “**preserve and promote environmental quality**”. Currently due to frequent irrigations and a northern end road embankment, large areas of shallow water are created each irrigation. These ponded areas used extensively by migrating inland shore birds and ducks (see attached species list). The applicant has stated to Steve Walker that the power generated is to be transferred via the conveniently located sub-station to Liberty Energy that only locally serves California residents. This seems counter to the “**or serve the local needs of our community**” portion of the policy. (See attached Request for Proposal from Liberty Energy.)

***AG Policy 2.2 Douglas County shall provide a range of compatible uses on the agricultural lands and means for agricultural property owners to obtain benefit from this land while achieving the public goal of agricultural preservation.***

Greenstone has failed to meet this policy. How could an industrial use of stark, shiny metal structures that shade a large portion of a once productive irrigated pasture be a compatible use of agricultural properties? The very essence of ag land is to capture the sun's energy to create food. Can compatible use be defined as capturing the sun's energy to provide power to out of state customers? Does conversion of irrigated pasture land in driest state in the union to solar panels contribute to **"achieving the public goal of agricultural preservation?"**

## **Chapter 2 - Land Use Element of Master Plan**

***LU Goal 2 -To retain the beauty, the natural setting and resources, and the rural/agricultural character of the county while providing opportunities for managed growth and development.***

Greenstone has failed to meet this policy. One could very easily make the argument that to NOT **"retain the beauty, the natural setting and resources, and the rural/agricultural character of the county..."** that we convert the irrigated agricultural area of our valley to an industrial use characterized by the monotonous coverage of a sea of solar panels. This same practice could easily reduce the general appeal of our valley that fosters **"managed growth and development."**

***Policy 2.2 - Douglas County shall use its planning and development regulations to protect residential neighborhoods from encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.***

Greenstone has failed to meet this policy. A-19 zoning allows for a residence on each 19 acre parcel and that residence should be allowed the same protection of any other residence **"from encroachment of incompatible activities or land uses...."** Implementation of this project will invariably reduce the value of the existing residence and reduce the value of lots surrounding the project. Approving the project does not provide **"protection"** but does definitely **"have a negative impact on the residential living environment ."**

Residences who live in A-19 zoning expect to look over horse and cow pastures, meadows, agricultural uses and other houses to enjoy views of the mountains. People who live in the A-19 zoning district expect that the district will be residential and agricultural. A field of thousands of 15 foot high shiny metal solar panels with an 8 foot chain link fence with 3 strings of barbed wire on the top is not consistent with the purpose of the zoning district. It is an incompatible use.

## **North, Central and South Agriculture Community Plan**

***NCSA Goal 1 To preserve and enhance the existing scenic and resource character of the north, central and south agricultural communities.***

The proposed project is not compatible with the Goal 1 of the North, Central and South Agricultural Community Plan Goals and Policies. The adjacent development is agriculture and a single family home. To put industrial use on agricultural land zoned for 19 acre homestead parcels does not meet Goal 1.

The proposed project does not comply with Chapter 7 of the Master Plan-Agricultural Element's Goal 1. The property being developed is productive agricultural land per the Soil Conservation District and the fact it has been irrigated with Alpine Decree Water Rights dating back to 1859. These water rights still remain on the property...they have NOT been transferred. The proposed project does not preserve the character and integrity of adjacent development (agricultural) and neighborhoods (A-19 homesites).

The Applicant states the property is a "treated wastewater disposal field." That is NOT CORRECT. This land has been irrigated with Alpine Decree Water Rights dating back to 1859. See water right map with Alpine Decree Claims 428, 429 & 432.

Regarding the project mitigating development related adverse impacts, the project has not mitigated the adverse impacts. Solar panel farms with power inverters and tracking panel systems emit a constant noise. As the panels rotate to follow the sun, at 150 feet away from the proposed project, the project consultant states we will have to listen to 60 decibels of noise 7 days a week, 365 days a year. With the prevailing winds blowing from the Solar Farm site to our homes, the noise will be constant

The visual impact of this proposed project is ugly. Our home looks out onto the project and can see the entire 260 acre field of metal panels. The solar panels are suppose to be non reflective, however, they are produce a glare.

Dust control and weed control is a serious problem. The Applicant does not address the dust control maintenance or weed control. With 97 miles per hour winds, the project will produce dust storms which will not be able to be controlled, a direct violation of the Master Plan and the State of Nevada Air Quality Board. This will cause serious problems to motorists on Hwy 395 just 1/2 mile away.

***NCSA Policy 1.1 The County shall use its Master Plan and development regulations to maintain or enhance the existing rural and scenic character of the community.***

Greenstone has failed to meet this policy. If this special use permit is denied the County will be adhering to this policy. The findings listed above from 3 different planning documents repeatedly make the case the project does not meet the goals of the Master Plan. Again, how could placing 15 foot high metal shiny solar panels with an 8 foot fence with 3 barbed wire on top over 260 acres of irrigated agricultural lands **"maintain or enhance the existing rural and scenic character of the community."**

#### 20.604.060 Findings (cont)

***B. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include, but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both, to mitigate such impacts;***

Greenstone has failed to meet this finding. The adjacent development is agricultural land and residential home sites. The applicant's response to the above requirement stated that just by merely following the basic requirements of the new ordinance (Ordinance No. 2014-1416) (which includes 15 foot high solar panel allowance), this finding is met. Furthermore the justification for not addressing any impacts the project might have on adjacent properties is rationalized by pointing out that **"only one residential dwelling located within the 1,320 notification range"**. The applicant further states that **"Therefore, the proposed Solar Farm conforms with and preserves the character and integrity of adjacent development and this finding can be made."** How can an industrial Solar Farm with 15 foot shiny, metal solar panels with an 8 foot high chain linked fence with 3 strands of barbed wire around it "preserve the character and integrity" of the A-19 agricultural residential zoning? Additionally how could a 260-acre array of contiguous solar panels preserve the character and integrity of irrigated agriculture. Water and management preserve the integrity of the adjacent sites.

***E. The proposed development incorporates features to minimize adverse effects, including visual impacts, of the proposed development on adjacent properties.***

Greenstone has failed to meet this finding. Nothing in the application addressed minimizing adverse affects to the properties adjacent to the site. There is only 1 residential property on the border of the project, but there are several A-19 parcels with future planned residential projects.

The development does not address the heat impacts of the heat emanating from the panels, sound impacts, dust impacts, or visual impacts, particularly driving down Kingsbury Grade, Hwy 395, Muller Lane and Genoa Lane. The pictures the application shows greatly minimizes the effect by only showing half the area impacted along 395 or showing a 5 foot height when they are clearly asking for a "not to exceed 15 feet height." The application and pictures also do not

address the potential for an 8 foot high chain linked fence with 3 barbed wires on top which will look like a prison....not a beautiful green belt.

***20.604.060 H. The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.***

Materially detrimental to the public health, safety and welfare.

The Greenstone solar industrial plant is materially detrimental to the public health, safety and welfare of Douglas County residents. Per a study by the Lawrence Berkeley National Laboratory in Berkeley, California published in July, 2011, "we found the large-scale adoption of desert PV lead to significant local temperature increases (+.04 C) and regional changes in wind patterns."

It further stated "modifications to the surface albedo through the deployment of cool roofs and pavements (reflective materials) and photovoltaic arrays (low reflection) have the potential to change radiative forcing, surface temperatures and regional weather patterns...Due to the solar arrays, local and regional wind patterns within a 300 km radius were affected. Statistically significant but lower magnitude changes to temperature and radiation could be seen across the domain due to the introduction of the solar arrays."

Regarding the wind, the study stated "the solar arrays influence local and regional wind patterns and boundary layer height...Directly above the solar arrays there is an increase in the magnitude of the afternoon southwesterly winds. Directly downwind of the arrays the magnitude of the prevailing afternoon southwesterly winds is reduced. The temperature and wind differences are also associated with higher afternoon boundary layer heights (150-250 m increase) over the solar arrays. It is interesting to note that supplemental figure 5 shows the disturbance in wind patterns caused by the solar arrays shifts downwind after sunset and directly effects nighttime wind patterns over Nevada and Arizona up to 300 km from the solar arrays."

This disturbance in wind patterns will affect airplane and glider flights over the valley potentially causing disruptive and unforeseen wind patterns in flight.

The increase in the magnitude of the afternoon southwesterly winds is very problematic. Any valley resident knows the middle of the valley receives some of the greatest wind speeds in the valley. At times it nears 100 miles per hour. And now we would have a solar industrial plant increasing the magnitude of these winds? Would Carson Valley have a Washoe Valley effect now on Hwy 395 next to the solar industrial plant with winds so dangerous they knock over semi trucks?

These high winds also bring debris which can damage the solar panels which could have the potential to leach heavy metals and other toxins into the environment. In a University of Texas, Austin study by Amy Gao, they found "photovoltaic systems have the potential to leach heavy metals and other toxins from newly installed, broken or aged modules...Exposure to heavy

metals, such as cadmium, leached from solar panels has been found to disrupt the respiratory system in rats, mice, monkeys, rabbits and hamsters (Fthenakis et al., 1999). The study also found while "none of the metals that leached from the newly installed thin film solar panel exceeded USEPA recommended limits for non-potable water reuse, in either cases of long-term or short-term usage. Therefore, rainwater can be harvested from solar panels for non-potable uses, such as irrigation. However, once again, it is important to note here that these results are obtained from a newly installed solar panel. **Higher concentrations of leached metals may occur as the solar panel is weathered and ages with time.**"

**Regarding potable uses the study states "the significance of this project is solar panels installed on rooftops can become a source of metal contaminants for rainwater harvesting systems installed in the same residential household. Results indicate that harvested rainwater from a newly installed amorphous silicon thin film solar panel suggest that the concentrations of cadmium and lead might be elevated for potable uses. Nonetheless, these water quality indicators of harvested rainwater from a solar panel may change as the solar panel undergoes weathering and aging."**

This brings another question of what happens to the birds and wildlife which may drink water contaminated by the solar panels? The leached metals could affect their respiratory system as is stated in the studies above. This is detrimental to the health of the birds and wildlife in Carson Valley.

Regarding the potential for Carson Valley mid-valley gale force winds damaging the solar panels, it's important to note solar panels are made out of silicon. If people inhale silicon dust over long periods of time, they can develop a disease called silicosis. This happens because silicon dust damages lung tissue, making lung capacity smaller and impeding breathing. The disease develops very slowly and there is no known treatment.

Regarding the noise level proposed in the application, the applicant states "Chapter 8.04 of the Douglas County Code Title 8 requires that noise generated from an EDNA Class C property to an EDNA Class A property should not exceed a maximum permissible noise level of 60 dBA at the property boundary of the receiving property or anywhere within...the sound emissions from the solar farm from the tracking mechanism will not exceed 60 dBA limit set in the Douglas County Nevada Code."

We do not believe this is correct. The Walker residence currently enjoys a quiet, silent atmosphere due to the prevailing winds blowing traffic noise away from the residents. You cannot hear the highway from the Walker residence because of this. The application for the solar industrial plant will create much more noise than the application refers to because the prevailing winds from the south will now blow right into the Walker residence bringing higher levels of noise than is being stated in the application.

Therefore, the Greenstone solar industrial plant special use application does NOT meet the findings of 20.604.060 H requiring the special use will NOT be materially detrimental to the

public health, safety, convenience and welfare, and will NOT result in material damage or prejudice to other property in the vicinity.

### **Intent of Ordinance Number 2014-1416 – Allowing Photovoltaic Farms on A-19 Zoning via Special Use Permit Application**

Based on the minutes of the July 8<sup>th</sup>, 2014 Planning Commission and August 7<sup>th</sup>, 2014 Board of County Committee meetings concerning the review of the Ordinance # 2014-1416, the discussion included a reference to allow use on unproductive and/or fallow ag lands only with a Special Use Permit. Although the ordinance did not address restricting the use to only unproductive land, the inference was made as implied by the examples of the discussion with in the minutes and the Greenstone's Renewable's application. Examples of the discussion include:

“Ms. Sullivan believes her job is to protect the ag land and after reading the Master Plan and meeting with the Ag Association, there are circumstances where the ag land is nonproductive. Member Miner thought unproductive ag land needed to be rezoned.”

“Matt McKinney, Bentley Ranches, said solar panels will not take over the irrigated land. Solar does not pay what farming or cows pay per acre at this time. The middle of the valley will not be covered by solar panels.”

### **Staff Report and Recommendations – Response below is to the Staff Report dated 3-1-2015**

#### ***Condition #7 – Page 2- Landscaping between the photovoltaic facility and all property lines shall be maintained as the native sagebrush desert***

The condition will be impossible to comply with as there is not a sagebrush (*Artemisia tridentata*) within a mile of the property. The shrubby area on the central west side of the 240 acre parcel, occupying possibly 20% of the parcel (see attached 2014 Google Earth photo) is comprised of Green Rabbitbrush (*Chrysothamnus vicidiflorus*) and Black Greasewood (*Sarcobatus vermiculatus*) with an Inland saltgrass (*Distichlis spicata*) understory. These shrubs are commonly referred to as phreatophytes as they have deep roots that extend to the water table. In order to comply with the condition the applicant would have to quit irrigating, somehow lower the soil salinity, eradicate existing pasture grasses – both native and introduced – and plant sagebrush seed.

### **Top of page 3 – Regarding Public Comment**

The homeowner has since this was written has had several meetings with staff, including the Assistant Planning Director and the Planning Director to express are concerns and communicate we adamantly oppose the project. Staff was provided the referenced maps on soils, irrigation



and water rights. We also provided a letter to the Planning Commission date March 8<sup>th</sup>, 2015 expressing are concerns and asking for denial of the project.

**Second complete paragraph of staff report– page 4 – “The site is currently vacant and covered with native grass and sagebrush. The project area is considered to have low agricultural value due to poor soils.”**

Staff is simply mimicking the statement made by the applicant – see page 12 of this memo. Summarizing the data presented the area is approximately 20% shrub dominated, has over 50% of the area as Class 3 soils, the south end is leveled and uses border irrigation. There is not a sagebrush within a mile of the site and the herbaceous vegetation (grasses and forbs) is made up of a variety of introduced and native species. Additionally the area has two sources of surface irrigation water including a portion with a 1859 Alpine Decree water right (Claim 428) and is frequently irrigated as depicted on the April, 2014 Google earth map.

Thank you for considering our request to deny the special use permit for the Greenstone Solar Industrial Plant to be located on productive, irrigated pastureland in the heart of Carson Valley!